



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 10, 2013
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 5:10 p.m. Council President Connally announced that there were technical difficulties with the live stream and recording system at this time.

2. ROLL CALL

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

A motion was then made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to excuse Mr. Rogers from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation in memory of the life and legacy of Nelson Mandela.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comment related to the agenda was given.

6. APPROVAL OF MINUTES

- a) November 26, 2013 Committee of the Whole Meeting
- b) November 26, 2013 Regular Meeting
- c) December 3, 2013 Committee of the Whole Meeting

A motion was made by Mr. Schron, seconded by Mr. Germana and approved by majority vote to approve the minutes of the November 26, 2013 and December 3, 2013 Committee of the Whole meetings and the November 26, 2013 regular meeting. Mr. Greenspan abstained himself from the vote.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally made the following announcements:

- (a) Stated that Item No. 13.b) would be taken out of order and considered after Item No. 8.a) on the agenda; and**
- (b) Thanked Joanne Gross, Sr. Policy Advisor, for her service to Council and wished her well in her new position.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment)

County Executive FitzGerald had the following messages:

- (a) Recognized and thanked Councilmembers for their work ethic, review and leadership during the 2014/2015 budget process. He also thanked the Fiscal Office staff for their efforts as well as department Directors and County staff;**
- (b) Made the following remarks regarding the General Fund budget including that it provides for efficient delivery of core government services and presents a variety of initiatives such as \$3M for continued operation of the Regional Crime Lab, \$1M for Community Policing, support of \$15M in economic development activity through the Western Reserve Program, \$2M annually for implementation of the College Savings Account program, \$1M for continued upgrade and replacement of information technology and a \$824M capital plan that addresses key County infrastructure and technology needs over the next 5 years; and**
- (c) Made the following remarks regarding the Health and Human Services Levy Fund including using existing and \$27M in new revenue to preserve mandated and priority programs that protect children and the most vulnerable citizens,**

\$1M for the Universal Pre-Kindergarten program, \$250K for the Juvenile Fugitive Safe Surrender Program, \$500K for a re-entry program that will target jail inmates, \$250K for Early Childhood Mental Health services and \$46K to fund the Naloxone program.

Clerk Schmotzer announced that the technical difficulties with the live stream and recording system were resolved.

[Note: Item No. 13.b) was taken out of order and considered after Item No. 8.a) on the agenda.]

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2013-0285.

- a) R2013-0285: A Resolution approving the Charter of County of Cuyahoga, Ohio, as amended through 11/5/2013; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally/Clerk of Council and Director of Law

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0285 was considered and adopted by unanimous vote.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading and to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0260, R2013-0261, R2013-0262, R2013-0263, R2013-0264, R2013-0265, R2013-0266 and R2013-0267.

- a) R2013-0260: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Gates Mills Land Conservancy for the conservation of ecologically significant areas along the Chagrin River Watershed and North Chagrin Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Schron

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2013-0260 was considered and adopted by unanimous vote.

- b) R2013-0261: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the Cuyahoga River, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Schron and Germana

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2013-0261 was considered and adopted by unanimous vote.

- c) R2013-0262: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Chagrin River, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Schron

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2013-0262 was considered and adopted by unanimous vote.

- d) R2013-0263: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the headwaters of Big Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Germana

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2013-0263 was considered and adopted by unanimous vote.

- e) R2013-0264: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Lower Big Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Brady

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2013-0264 was considered and adopted by unanimous vote.

- f) R2013-0265: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the Bradley Woods Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Germana

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2013-0265 was considered and adopted by unanimous vote.

- g) R2013-0266: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Cuyahoga Soil & Water Conservation District for the conservation of ecologically significant areas along the East Branch of Euclid Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Simon, Rogers and Germana

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2013-0266 was considered and adopted by unanimous vote.

- h) R2013-0267: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the City of Euclid for the conservation of ecologically significant areas along the Green Creek and Euclid Creek Metropark Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Rogers and Simon

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

Ms. Simon introduced a proposed substitute to Resolution No. R2013-0267 at the request of the County Planning Commission and City of Euclid. Discussion ensued. A motion was then made by Ms. Simon, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2013-0267 was considered and adopted by unanimous vote, as substituted.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2013-0286, R2013-0287 and R2013-0288.

- a) R2013-0286: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 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

Mr. Miller introduced a proposed amendment to Resolution No. R2013-0286 at the request of the Office of Budget & Management to add Item O to Section 1 and to add Items J, K and L to Section 3 of the Resolution. Discussion ensued. A motion was then made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to accept the proposed amendment.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0286 was considered and adopted by unanimous vote, as amended.

- b) R2013-0287: A Resolution accepting the report containing findings and recommendations of Fact-finder Robert G. Stein regarding negotiations between the Cuyahoga County Sheriff and American Federation of State, County and Municipal Employees, Ohio Council 8 and Local 2927, for a collective bargaining agreement covering approximately 31 employees in 5 classifications in Inmate Services at the Sheriff's Department; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff and Department of Law

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0287 was considered and adopted by unanimous vote.

- c) R2013-0288: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; 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 a decrease in funds:

- i) No. CE1100623-01 with Catholic Charities Corporation dba Parmadale in the amount of (\$110,000.00).

2) for additional funds:

- i) No. CE1100615-01 with Pathway Caring for Children in the amount of \$110,000.00.

- ii) No. CE1100619-01 with BHC Belmont Pines Hospital Inc. in the amount of \$792,000.00.

- iii) No. CE1100628-01 with START – Support to At-Risk Teens in the amount of \$200,000.00.

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

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0288 was considered and adopted by unanimous vote.

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

- a) R2013-0289: A Resolution amending Resolution No. R2012-0025 dated 4/10/2012, which declared that public convenience and welfare requires resurfacing of Turney Road, by changing the termini from Sladden Avenue to Hathaway Road in the City of Garfield Heights to Warner Road to Hathaway Road in the Cities of Cleveland and Garfield Heights, by changing the total estimated project cost from \$4,125,000.00 to \$4,925,000.00 and by authorizing the County Executive to enter into an agreement of cooperation with the City of Cleveland; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2013-0289 to the Public Works, Procurement & Contracting Committee.

- b) R2013-0290: A Resolution declaring that public convenience and welfare requires resurfacing of East 222nd Street from Tungsten Road to Euclid Avenue in the City of Euclid; total estimated project cost \$3,260,200.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2013-0290 to the Public Works, Procurement & Contracting Committee.

- c) R2013-0291: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-4985 for

improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 1-WD & T
Permanent Parcel No(s): 374-02-0019, 374-02-005, 374-02-092 and 374-02-094
Owner(s): McDonald's Corporation, a Delaware Corporation
Approved Appraisal (Fair Market Value Estimate): \$21,175.00
- 2) Parcel No(s): 29-T
Permanent Parcel No(s): 374-04-015
Owner(s): L.F. & C.S. Rodecker
Approved Appraisal (Fair Market Value Estimate): \$300.00
- 3) Parcel No(s): 30-WD & T
Permanent Parcel No(s): 374-08-045
Owner(s): M.J. & J.A. Kolk
Approved Appraisal (Fair Market Value Estimate): \$300.00
- 4) Parcel No(s): 57-T
Permanent Parcel No(s): 374-05-012
Owner(s): R.J. & R.M. Scirpo
Approved Appraisal (Fair Market Value Estimate): \$300.00
- 5) Parcel No(s): 119-T
Permanent Parcel No(s): 457-38-096
Owner(s): J. Ordakowski
Approved Appraisal (Fair Market Value Estimate): \$360.00
- 6) Parcel No(s): 146-WD & T
Permanent Parcel No(s): 457-11-005
Owner(s): B.K. & P.A. Stapleton
Approved Appraisal (Fair Market Value Estimate): \$470.00
- 7) Parcel No(s): 161-WD, T & T1
Permanent Parcel No(s): 457-29-007
Owner(s): C.A. Poole
Approved Appraisal (Fair Market Value Estimate): \$600.00

- 8) Parcel No(s): 162-WD & T
Permanent Parcel No(s): 457-30-041
Owner(s): P. LaFrance
Approved Appraisal (Fair Market Value Estimate): \$920.00
- 9) Parcel No(s): 185-T
Permanent Parcel No(s): 457-34-011
Owner(s): J.M. Cornelius, M.M. Calderone, D.F. Calderone, G.E. Calderone, C.C. Burnet & M.A. Barnes
Approved Appraisal (Fair Market Value Estimate): \$300.00
- 10) Parcel No(s): 187-T
Permanent Parcel No(s): 457-34-015
Owner(s): J. & C. Mancuso
Approved Appraisal (Fair Market Value Estimate): \$300.00

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

Council President Connally referred Resolution No. R2013-0291 to the Public Works, Procurement & Contracting Committee.

- d) R2013-0292: A Resolution making an award on RQ25834 to Cherandon Plaza, LLC in the amount of \$534,500.40 for lease of space for Auto Title Regional Office West, located at 27029 Brookpark Extension Road, North Olmsted, for the period 12/1/2013 - 11/30/2018; 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 on behalf of Fiscal Officer

Council President Connally referred Resolution No. R2013-0292 to the Public Works, Procurement & Contracting Committee.

- e) R2013-0293: A Resolution making an award on RQ28684 to Reliastar Life Insurance Company dba ING Employee Benefits in the amount not-to-exceed \$2,091,441.00 for stop loss insurance services for County employees and their eligible dependents for the period 1/1/2014 – 12/31/2014; 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/Department of Human Resources

Council President Connally referred Resolution No. R2013-0293 to the Health, Human Resources & Equity Committee.

- f) R2013-0294: A Resolution authorizing an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid; authorizing the Deputy Chief of Staff of Development 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

Resolution No. R2013-0294 was withdrawn from consideration at the request of the Department of Development and was not referred to Committee.

- g) R2013-0295: A Resolution authorizing an Economic Development Fund Loan in the amount not-to-exceed \$1,280,000.00 to SWP Acquisition LLC for purchase and renovation of a facility located at 3750 Park East Drive, Beachwood; authorizing the Deputy Chief of Staff of Development 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. R2013-0295 to the Economic Development & Planning Committee.

- h) R2013-0296: A Resolution authorizing amendments to contracts with various providers for comprehensive case management, direct and referral services for the FY2012 Second Chance Act Adult Offender Reentry Program for the period 10/1/2012 - 9/30/2013 to extend the time period to 9/30/2014; 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 additional funds:

- i) No. CE1300229-01 with Case Western Reserve University – Begun Center for Violence Prevention Research and in the amount of \$80,000.00.
 - ii) No. CE1300231-01 with Community Assessment and Treatment Services, Inc. and in the amount of \$384,355.00.
 - iii) No. CE1300232-01 with Community Reentry, Inc. and in the amount of \$285,647.00.
- 2) no additional funds required:
- i) No. CE1300230-01 with Center for Families and Children.

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

Council President Connally referred Resolution No. R2013-0296 to the Health, Human Services & Aging Committee.

- i) R2013-0297: A Resolution authorizing amendments to various agreements with Cleveland Municipal School District for Universal Pre-Kindergarten services for the period 8/22/2012 - 7/31/2013 to extend the time period to 7/31/2014 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. AG1200340-01 with Marion-Sterling Elementary School in the amount not-to-exceed \$48,703.79.
 - 2) No. AG1200341-01 with Tremont Montessori School in the amount not-to-exceed \$30,105.52.

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

Council President Connally referred Resolution No. R2013-0297 to the Education, Environment & Sustainability Committee.

- j) R2013-0298: A Resolution making awards on RQ28675 to various providers in the total amount not-to-exceed \$153,600,000.00 for placement services for the period 1/1/2014 - 12/31/2016; authorizing the County Executive to execute the master contract and all other documents

consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Alliance Human Services, Inc. in the amount of \$12,000,000.00.
- 2) Applewood Centers, Inc. in the amount of \$6,000,000.00.
- 3) Beech Brook in the amount of \$15,000,000.00.
- 4) Bellefaire Jewish Children's Bureau in the amount of \$12,000,000.00.
- 5) BHC Belmont Pines Hospital, Inc. in the amount of \$6,116,700.00.
- 6) Caring for Kids, Inc. in the amount of \$757,500.00.
- 7) Carrington Youth Academy, LLC in the amount of \$750,000.00.
- 8) Catholic Charities Corporation in the amount of \$13,266,360.00.
- 9) Christian Children's Home of Ohio, Inc. in the amount of \$900,000.00.
- 10) Continue Life in the amount of \$600,000.00.
- 11) Cornell Abraxas Group, Inc. in the amount of \$75,000.00.
- 12) Diversion Adolescent Foster Care of Ohio, Inc. in the amount of \$900,000.00.
- 13) Fox Run: The Center for Children and Adolescents in the amount of \$345,000.00.
- 14) Glen Mills Schools in the amount of \$96,000.00.
- 15) Guidestone nka Ohio Guidestone in the amount of \$16,500,000.00.
- 16) Hittle House, LLC in the amount of \$300,000.00.
- 17) House of New Hope in the amount of \$4,800,000.00.
- 18) In Focus of Cleveland, Inc. in the amount of \$2,100,000.00.
- 19) Keystone Richland Center, LLC dba Foundations for Living in the amount of \$240,000.00.

- 20) Lutheran Metropolitan Ministry dba START – Support to At-Risk Teens in the amount of \$6,000,000.00.
- 21) National Youth Advocate Program, Inc. in the amount of \$9,000,000.00.
- 22) New Directions, Inc. in the amount of \$75,000.00.
- 23) Northeast Ohio Associates in Psychiatric Medicine, Inc. (Sharon Lynn Residence) in the amount of \$300,000.00.
- 24) Options for Families and Youth in the amount of \$6,000,000.00.
- 25) Pathway Caring for Children in the amount of \$900,000.00.
- 26) Pressley Ridge in the amount of \$6,000,000.00.
- 27) Quality Care Residential Homes, Inc. in the amount of \$300,000.00.
- 28) Rite of Passage, Inc. in the amount of \$300,000.00.
- 29) Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$10,455,000.00.
- 30) The Bair Foundation in the amount of \$6,373,440.00.
- 31) The Buckeye Ranch, Inc. in the amount of \$150,000.00.
- 32) The Cleveland Christian Home Incorporated in the amount of \$7,800,000.00.
- 33) The Twelve of Ohio, Inc. in the amount of \$2,400,000.00.
- 34) The Village Network in the amount of \$4,800,000.00.

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

Council President Connally referred Resolution No. R2013-0298 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 Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading for Resolution Nos. R2013-0272, R2013-0273, R2013-0274, R2013-0275, R2013-0276, R2013-0277, R2013-0278, R2013-0279 and R2013-0280 and to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0229, R2013-0272, R2013-0273, R2013-0274, R2013-0275, R2013-0276, R2013-0277, R2013-0278, R2013-0279, R2013-0280, R2013-0281, R2013-0282, R2013-0283 and R2013-0284.

- a) R2013-0229: A Resolution adopting the 2014/2015 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

Committee Assignment and Chair: Committee of the Whole – Miller

Mr. Miller gave remarks regarding the biennial budget process and said that it was a collaborative effort among the administration and all members of Council. He thanked his colleagues, County Executive FitzGerald, Council staff, Fiscal Office staff and various Directors and staff for their help and cooperation. He also thanked the voters of Cuyahoga County for passing the Health and Human Services Levy. Mr. Miller then provided an overview of the essential funding for County services and initiatives contained in the biennial budget and reflected on the ideas brought forward by each Councilmember.

Mr. Greenspan gave a prepared statement and encouraged his colleagues to support a proposed amendment that would provide the option to appropriate the \$4M in 2014 and 2015 from the Duel Eligible MyCare Program Sales Tax contained in the General Fund to the Health and Human Services Levy Fund. He then introduced a proposed amendment to Section 2 of Resolution No. R2013-0229 as follows:

“SECTION 2. The increase to the 2014 and 2015 annual ~~subsidies~~ subsidy for The MetroHealth System (\$4,000,000) is expected to be funded from the Health and Human Services Levy Fund Reserves, the Public Assistance Funds and/or the sales tax proceeds from the Duel Eligible MyCare Program. The increase to the 2014 and 2015 annual subsidy to the ~~and the~~ Alcohol, Drug Addiction & Mental Health Services Board (\$5,000,000) ~~are~~ is expected to be funded from the Health and Human Services Levy Fund Reserves and/or Public Assistance Funds. Both subsidies ~~and~~ shall be reviewed on a biennial basis for sustainability based on future revenues and expenditures.”

Discussion ensued. A motion was then made by Mr. Greenspan, seconded by Mr. Schron and approved by unanimous vote to accept the proposed amendment.

Ms. Simon introduced a proposed affirmation of an amendment made to R2013-0229 by the Office of Budget & Management to restore Health and Human Services Levy dollars that were shifted to Title IV-E funds for the Youth and Family Community Partnership Program and for legal services related to Title IV-E eligible youth. On a motion by Ms. Simon with a second by Ms. Conwell, the amendment to Resolution No. R2013-0229 was considered and affirmed by unanimous vote.

Councilmembers then commented on various aspects of the budget.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2013-0229 was considered and adopted by unanimous vote, as amended and affirmed.

[Note: Item No. 13.b) was taken out of order and considered after Item No. 8.a) on the agenda.]

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2013-0244.

- b) R2013-0244: A Resolution authorizing a Termination and Transfer Agreement with Merchandise Mart Properties, Inc., MMPI Cleveland Development LLC, and Cleveland MMCC LLC; authorizing other actions related to the agreement; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

Mr. Miller introduced a proposed amendment to Section 2 of Resolution No. R2013-0244 as follows:

“SECTION 2. The interim board of the Operating Company shall consist of three directors, one of which to be appointed by the County Council President, one of which to be appointed by the County Executive, and one of which to be appointed jointly by the Greater Cleveland Partnership and Positively Cleveland, and the initial bylaws of the Operating Company shall require the consent of both County-appointed board members on issues related to reformation of the board of the Operating Company. **The Articles of**

Incorporation of the Operating Company and any of its successors and assigns shall require its Board to operate in a manner that closely corresponds with the Cuyahoga County Code relating to open meetings and public records, except that these Articles may allow Board members to attend and participate by electronic means at a meeting properly noticed for a designated time and place.

Discussion ensued. A motion was then made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to accept the proposed amendment.

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0244 was considered and adopted by unanimous vote, as amended.

- c) R2013-0272: A Resolution declaring that public convenience and welfare requires resurfacing of Barr Road from Edgerton Road to Highland Drive in the City of Brecksville; total estimated project cost \$84,850.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer 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. R2013-0272 was considered and adopted by unanimous vote.

- d) R2013-0273: A Resolution declaring that public convenience and welfare requires resurfacing of Biddulph Road from Cleveland West Corporation Line to Pearl Road in the City of Cleveland; total estimated project cost \$750,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2013-0273 was considered and adopted by unanimous vote.

- e) R2013-0274: A Resolution declaring that public convenience and welfare requires resurfacing of East 250th Street from Lakeland Boulevard to Lake Shore Boulevard in the City of Euclid; total estimated project cost \$2,000,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2013-0274 was considered and adopted by unanimous vote.

- f) R2013-0275: A Resolution declaring that public convenience and welfare requires resurfacing and some streetscape of Huron Road from Prospect Avenue to Euclid Avenue in the City of Cleveland; total estimated project cost \$450,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0275 was considered and adopted by unanimous vote.

- g) R2013-0276: A Resolution declaring that public convenience and welfare requires resurfacing of Munn Road from Rocky River Drive to Warren Road in the City of Cleveland; total estimated project cost \$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; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2013-0276 was considered and adopted by unanimous vote.

- h) R2013-0277: A Resolution declaring that public convenience and welfare requires resurfacing of Noble Road from Euclid Avenue to 150 feet northwest of Rail Road Bridge in the City of East Cleveland; total estimated project cost \$200,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0277 was considered and adopted by unanimous vote.

- i) R2013-0278: A Resolution declaring that public convenience and welfare requires resurfacing of Snowville Road from Brecksville Road to Riverview Road in the City of Brecksville; total estimated project cost \$851,495.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0278
was considered and adopted by unanimous vote.**

- j) R2013-0279: A Resolution declaring that public convenience and welfare requires resurfacing of West 73rd Street from Denison Avenue to Lorain Road in the City of Cleveland; total estimated project cost \$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; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0279
was considered and adopted by unanimous vote.**

- k) R2013-0280: A Resolution declaring that public convenience and welfare requires resurfacing of Woodhill Road from Quincy Avenue to Kinsman Road in the City of Cleveland; total estimated project cost \$2,800,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0280
was considered and adopted by unanimous vote.**

- l) R2013-0281: A Resolution making an award on RQ28451 to Perk Company, Inc. in the amount not-to-exceed \$3,614,496.62 for resurfacing Belvoir Boulevard from Fairmount Boulevard to Mayfield Road in the Cities of Shaker Heights, South Euclid and University Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$722,899.33 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0281 was considered and adopted by unanimous vote.

- m) R2013-0282: A Resolution authorizing amendments to agreements and contracts with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 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. AG1100140-01 with Cuyahoga Community College District in the amount of \$225,000.00.
 - 2) No. AG1100141-01 with Mayfield City School District in the amount of \$357,000.00.
 - 3) No. AG1100142-01 with Cuyahoga Community College District in the amount of \$120,000.00.
 - 4) No. CE1100660-01 with Baldwin-Wallace College in the amount of \$95,000.00.
 - 5) No. CE1100662-01 with Esperanza, Incorporated in the amount of \$120,000.00.

- 6) No. CE1100663-01 with Linking Employment, Abilities & Potential in the amount of 175,000.00.
- 7) No. CE1100666-01 with Youth Opportunities Unlimited in the amount of \$430,000.00.
- 8) No. CE1100667-01 with Guidestone fka Berea Children's Home in the amount of \$460,000.00.
- 9) No. CE1100700-01 with Towards Employment, Incorporated in the amount of \$150,000.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development **and Councilmember Conwell**

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0282 was considered and adopted by unanimous vote.

- n) R2013-0283: A Resolution authorizing amendments to various agreements with East Cleveland City School District for Universal Pre-Kindergarten services for the period 8/31/2012 - 7/31/2013 to extend the time period to 7/31/2014 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. AG1200342-01 with Prospect Elementary School in the amount not-to-exceed \$16,367.60.
- 2) No. AG1200343-01 with Superior Elementary School in the amount not-to-exceed \$67,979.60.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers Conwell and Rogers

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0283 was considered and adopted by unanimous vote.

- o) R2013-0284: A Resolution authorizing amendments to various contracts with Guidestone for Universal Pre-Kindergarten services for the period 8/1/2012 - 7/31/2013 to extend the time period to 7/31/2014 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. CE1200516-01 with Family Life Child Care Center of Berea in the amount not-to-exceed \$300,407.73.
 - 2) No. CE1200517-01 with Family Life Child Care Center of Brook Park in the amount not-to-exceed \$99,807.09.
 - 3) No. CE1200518-01 with Family Life Child Care Center of Lakewood in the amount not-to-exceed \$124,395.65.
 - 4) No. CE1200519-01 with Family Life Child Care Center of Maple Heights in the amount not-to-exceed \$185,793.28.
 - 5) No. CE1200520-01 with Family Life Child Care Center of Middleburg Heights in the amount not-to-exceed \$12,019.04.

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

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2013-0284 was considered and adopted by unanimous vote.

14. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- a) R2013-0224: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Taxable Economic Development Revenue Bonds, Series 2013B (Westin Cleveland Hotel Project) in an aggregate principal amount not-to-exceed \$6,000,000.00 for the purpose of providing moneys to pay costs of a “Project” within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement; authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to

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

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Benesh Friedlander Coplan & Aronoff, LLP

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0224 was considered and adopted by unanimous vote.

15. REPORT BY CLERK ON LEGISLATION WITHDRAWN AT REQUEST OF SPONSOR(S)

- a) R2013-0268: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Dunham Tavern Museum, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

- b) R2013-0269: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of LAND Studio, Inc. for the conservation of ecologically significant areas along the Irishtown Overlook, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

Clerk Schmotzer reported that Resolution Nos. R2013-0268 and R2013-0269 had been withdrawn from consideration at the request of the County Planning Commission.

16. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan report that the Council Operations & Intergovernmental Relations Committee will meet on Monday, January 13, 2014 at 9:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, January 13, 2014 at 1:00 p.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, January 8, 2014 at 1:00 p.m.

Mr. Gallagher reported that the Public Safety and Justice Affairs Committee will meet on Tuesday, December 17, 2013 at 1:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, December 17, 2013 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, December 18, 2013 at 11:00 a.m.

17. MISCELLANEOUS BUSINESS

Ms. Simon reported that she will be attending the Cuyahoga County Airport Environmental Assessment open house on December 11, 2013 at 3:30 p.m.

Ms. Simon also thanked her colleagues and staff for their assistance with the Top Dog contest and said that the winners will be recognized at a Council meeting in January.

18. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment unrelated to the agenda given.

19. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:25 p.m., without objection.