



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 25, 2014
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 5:05 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated in memory of Mrs. Margaret "Peggy" Doddridge, mother-in-law of Councilmember Schron, and Mr. Joseph White, Jr., husband of Ms. Cecelia Huffman-White, nominee for re-appointment to the Cuyahoga Regional HIV Health Services Planning Commission, who both recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

Rev. Pamela Pinkney Butts addressed Council regarding issues of concern to her relating to Resolution No. R2014-0036, a Resolution confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and

Culture Board of Trustees, and also suggested Council President Connally consider running for Governor.

Mr. William Tarter addressed Council regarding issues of concern to him relating to the sale of county buildings, particularly Playhouse Square.

6. APPROVAL OF MINUTES

- a) February 11, 2014 Committee of the Whole Meeting
- b) February 11, 2014 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the February 11, 2014 Committee of the Whole and regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald informed Council of legislation at the state level concerning changes to election laws including restricting voting on the Sunday before the election. He is seeking legal advice from the Law Department to address this issue.

9. LEGISLATION INTRODUCED BY COUNCIL

- a) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0048: A Resolution approving the appointment of various individuals to serve on the College Savings Account Program Committee for an unexpired term ending 5/31/2017, and declaring the necessity that this Resolution become immediately effective:
 - i) Julian Rogers
 - ii) Kahlil Seren

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2014-0048 to the Human Resources, Appointments & Equity Committee.

- 2) R2014-0049: A Resolution confirming the County Executive's appointment of Lisa M. Hunt to serve on the Cuyahoga County

Board of Developmental Disabilities for an unexpired term ending 1/31/2017, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2014-0049 to the Human Resources, Appointments & Equity Committee.

3) R2014-0050: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for the term 3/11/2014 - 3/31/2017, and declaring the necessity that this Resolution become immediately effective:

i) Appointments:

- a) Jacquelin Fields
- b) Jose Flores
- c) Elaine Henderson
- d) Lawrence Stallworth
- e) Robert Uncapher
- f) Stephene Uncapher
- g) Marlene Robinson-Statler

ii) Reappointments:

- a) Barbara Gripshover, M.D.
- b) Cecelia Huffman-White as Co-Chair
- c) Trudi Kozak
- d) Gilbert Kudrin
- e) Mark Lehman
- f) Naimah O'Neal
- g) Reverend Max Rodas
- h) Karen Butler as Co-Chair

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2014-0050 to the Human Resources, Appointments & Equity Committee.

b) 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 9D and to place on final passage Resolution No. R2014-0036.

- 1) R2014-0036: A Resolution confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective:
 - i) Joseph P. Gibbons, Esq. for an unexpired term ending 3/31/2015.
 - ii) Eliza Wing for the term 4/1/2014 - 3/31/2017.

Sponsors: Councilmembers Connally and Conwell

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

On a motion by Ms. Conwell with a second by Mr. Gallagher, Resolution No. R2014-0036 was considered and adopted by unanimous vote.

- 2) R2014-0047: A Resolution confirming the County Executive's appointment of Glenn Coyne to serve on the Northeast Ohio Areawide Coordinating Agency Board of Directors, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

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

Clerk Schmotzer read Resolution No. R2014-0047 into the record.

At the request of Councilmember Conwell, Chair of the Human Resources, Appointments & Equity Committee, Council President Connally referred Resolution No. R2014-0047 to the Human Resources, Appointments & Equity Committee.

c) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2014-0006: An Ordinance enacting Chapter 712 of the Cuyahoga County Code to establish guidelines for the County Community Development Block Grant Fund Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Simon

Council President Connally referred Ordinance No. O2014-0006 to the Economic Development & Planning Committee.

10. LEGISLATION INTRODUCED BY EXECUTIVE

a) 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. R2014-0051 and R2014-0052.

- 1) R2014-0051: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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 Ms. Conwell, Resolution No. R2014-0051 was considered and adopted by unanimous vote.

- 2) R2014-0052: A Resolution expressing support for the Cleveland 2016 Host Committee, Inc.'s efforts to secure a National Presidential Convention in Cleveland in 2016, and authorizing the County Executive to negotiate and execute a contract with Cleveland 2016 Host Committee, Inc. in the amount of \$2,500,000.00 to support a bid for a National Presidential Nominating Convention in 2016, contingent upon a winning bid, and a contract with the appointed lead law enforcement agency to

contribute up to \$2,500,000.00 in law enforcement services and resources, contingent upon a winning bid, subject to reimbursement in the event of a security grant by the Federal Government; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald

Mr. Jon Pinney, an attorney with Kohrman, Jackson & Krantz, addressed Council regarding Resolution No. R2014-0052 and the process for submitting a bid for a 2016 National Presidential Convention. Discussion ensued.

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2014-0052 was considered and adopted by unanimous vote.

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0053: A Resolution authorizing the issuance of not-to-exceed \$39,900,000.00 County of Cuyahoga, Ohio Health Care Facilities Revenue Refunding Bonds, Series 2014 (The A.M. McGregor Home Project) for the purpose of refunding the outstanding principal amount of County of Cuyahoga, Ohio Adjustable Rate Demand Health Care Facilities Revenue Refunding Bonds, Series 2009 (The A.M. McGregor Home Project), Adjustable Rate Demand Health Care Facilities Revenue Refunding Bonds, Series 2010A (The A.M. McGregor Home Project) and Adjustable Rate Demand Health Care Facilities Revenue Refunding Bonds, Series 2010B (The A.M. McGregor Home Project) that were issued to provide funds to assist The A.M. McGregor Home in financing costs of certain "hospital facilities" within the boundaries of the County; providing for the pledge of revenues for the payment of those bonds; authorizing the execution and delivery of a trust indenture, a lease agreement, a sublease and a bond purchase agreement; authorizing and approving related matters; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Thompson Hine LLP

Council President Connally referred Resolution No. R2014-0053 to the Economic Development & Planning Committee.

- 2) R2014-0054: A Resolution authorizing a revenue generating Underlying Agreement with City of Euclid in the amount not-to-exceed \$2,600,000.00 for operation of jail services for County Euclid Prisoners for the period 4/1/2014 - 3/31/2019; authorizing a Lease in connection with said agreement in the amount-not-exceed \$5.00 for a County Jail satellite facility located at 545 East 222nd Street, Euclid; 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/County Sheriff

Council President Connally referred Resolution No. R2014-0054 to the Public Safety & Justice Affairs Committee.

- 3) R2014-0055: A Resolution making an award on RQ28967 to Catholic Charities Corporation in the amount not-to-exceed \$554,240.00 for sanction compliance programming and support services for Ohio Works First families losing cash assistance for the period 3/1/2014 - 2/28/2015; 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 Health and Human Services/Cuyahoga Job and Family Services

Council President Connally referred Resolution No. R2014-0055 to the Health, Human Services and Aging Committee.

- c) 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 9D and to place on final passage Resolution Nos. R2014-0038, R2014-0039, R2014-0041, R2014-0042, R2014-0044, R2014-0045 and R2014-0046.

- 1) R2014-0038: A Resolution declaring that public convenience and welfare requires resurfacing of Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton; total estimated project cost \$1,580,669.00; 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 Gallagher

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

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2014-0038 was considered and adopted by unanimous vote.

- 2) R2014-0039: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5018 for rehabilitation of East 49th Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2014-0039 was considered and adopted by unanimous vote.

- 3) R2014-0041: A Resolution authorizing an agreement with City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources and Councilmember Gallagher

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

On a motion by Ms. Conwell with a second by Mr. Gallagher, Resolution No. R2014-0041 was considered and adopted by unanimous vote.

- 4) R2014-0042: A Resolution authorizing an amendment to Contract No. CE1200705-01 with Hylant Group, Inc. for insurance brokerage and risk management services and premiums for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$888,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Law

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0042 was considered and adopted by unanimous vote.

- 5) R2014-0044: A Resolution authorizing an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$682,276.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmembers Simon and Miller**

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

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2014-0044 was considered and adopted by unanimous vote.

- 6) R2014-0045: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmembers Simon and Miller**

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

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2014-0045 was considered and adopted by unanimous vote.

- 7) R2014-0046: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$906,000.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmembers Simon and Miller**

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

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2014-0046 was considered and adopted by unanimous vote.

d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2014-0031: A Resolution making an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills; 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 \$418,632.71 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 Councilmember Connally**

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2014-0031 was considered and adopted by unanimous vote.

- 2) R2014-0034: A Resolution authorizing the issuance of not-to-exceed \$11,955,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2014 (Cleveland Hearing and Speech Center Project), for the purpose of refunding the outstanding principal amount of County of Cuyahoga, Ohio Tax-exempt Variable Rate Economic Development Revenue Bonds, Series 2008 (Cleveland Hearing and Speech Center Project), that were issued to provide funds to assist the Cleveland Hearing and Speech Center in financing costs of a project consisting generally of the acquisition, construction, improvement, furnishing and equipping of real and personal property consisting of an approximately 48,000 square foot headquarters and operations facility located at 11635 Euclid Avenue, Cleveland, Ohio; authorizing the execution and delivery of a loan agreement and trust indenture; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such bonds; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Thompson Hine LLP

Mr. Schron introduced a proposed substitute on the floor. A motion was then made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to adopt the proposed substitute.

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2014-0034 was considered and adopted by unanimous vote, as substituted.

e) **CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- 1) O2014-0003: An Ordinance amending Cuyahoga County Code Chapter 506: Procurement Card Program Policies and Procedures to approve revised Cuyahoga County Procurement Card Program Policies and Procedures, effective 3/1/2014; and declaring the necessity that this Ordinance become immediately effective.

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

On a motion by Mr. Jones with a second by Mr. Miller, Ordinance No. O2014-0003 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, March 10, 2014 at 9:00 a.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, March 5, 2014 at 1:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, March 4, 2014 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

Council President Connally introduced several Eagle Scouts in attendance at the meeting.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Juanita Gowdy addressed Council regarding issues of concern to her relating to her daycare facility and license.

14. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 6:08 p.m., without objection.