



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 28, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 5:10 p.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Jones, Hairston, Simon, Greenspan, Miller 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 to the memories of Constance Harper, Editor-in Chief of the Call & Post, and Lynn Ruffner, former Shaker Heights City Councilwoman, who both recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

The following citizens addressed Council regarding issues of concern to them relating to Ordinance No. O2014-0023, an Ordinance amending Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish a Department of Sustainability and to provide for the powers and duties of the Director of Sustainability:

- a) **Shanelle Smith, representing Emerald Cities Collaborative-Cleveland**
- b) **Pastor Aaron Phillips, Pastor L.T. King, and Bishop Eugene Ward, and various other citizens who stood in support with the speakers, representing Baptist Ministers of Cleveland and Common Good Ohio**
- c) **David Beach, representing GreenCityBlueLake Institute, Cleveland Museum of Natural History**

6. APPROVAL OF MINUTES

- a) October 14, 2014 Committee of the Whole Meeting
- b) October 14, 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 October 14, 2014 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

- a) Presentation of a proclamation to commemorate October as Domestic Violence Awareness Month in Cuyahoga County

Council President Connally deferred this item to Councilmember Conwell, who made comments and presented Ms. Linda Johanek, Chief Executive Officer for the Domestic Violence & Child Advocacy Center, with a proclamation. Ms. Johanek addressed Council regarding domestic violence issues and awareness and thanked Council for the proclamation.

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment)

County Executive FitzGerald reported the following:

- a) **Echoed Council President Connally's comments regarding the passing of former Councilwoman Lynn Ruffner and expressed his condolences to her family;**
- b) **Discussed HUD Secretary Julian Castro's visit to Cleveland to promote the goal of providing preschool for every child regardless of family income. He stated that the Secretary gave accolades to Cleveland for its PRE4CLE initiative; and**

- c) **Thanked all the partners associated with the process of establishing the Cuyahoga County Property Demolition Program.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) 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 Nos. R2014-0238 and R2014-0239.

- 1) R2014-0238: A Resolution confirming the County Executive's appointment of Harriet Shaw Applegate to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors for an unexpired term ending 1/28/2016, and declaring the necessity that this Resolution become immediately effective.

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. R2014-0238 was considered and adopted by unanimous vote.

- 2) R2014-0239: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller on behalf of Personnel Review Commission

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0239 was considered and adopted by unanimous vote.

- b) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING ADOPTION

- 1) R2014-0227: A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0227 was considered and adopted by unanimous vote.

- 2) R2014-0228: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0228 was considered and adopted by unanimous vote.

- 3) R2014-0229: A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0229 was considered and adopted by unanimous vote.

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

- 1) O2014-0033: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.08, 701.09 and 701.10 to establish guidelines for financial management of operations and a long-term financial plan for Cuyahoga County.

Sponsor: Councilmember Miller

Council President Connally referred Ordinance No. O2014-0033 to the Finance & Budgeting Committee.

- 2) O2014-0034: An Ordinance enacting Chapter 703 of the Cuyahoga County Code to establish a procedure for the County to enter into delinquent land contracts with qualified tax payers, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Jones

Council President Connally referred Ordinance No. O2014-0034 to the Finance & Budgeting Committee.

- 3) O2014-0035: An Ordinance amending Chapter 303 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Council President Connally on behalf of Personnel Review Commission

Council President Connally referred Ordinance No. O2014-0035 to the Human Resources, Appointments & Equity Committee.

d) COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES OF COUNCIL FOR SECOND READING

- 1) O2014-0006: An Ordinance enacting Chapter 714 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.

Sponsors: Councilmembers Simon and Greenspan

Committee Assignment and Chair: Economic Development & Planning – Schron

Clerk Schmotzer read Ordinance No. O2014-0006 into the record.

This item will move to the November 12, 2014 Council meeting agenda for consideration for third reading adoption.

- 2) O2014-0030: An Ordinance enacting the Cuyahoga County Appointment and Confirmation Act, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Conwell, Germana, Brady and Miller

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

Clerk Schmotzer read Ordinance No. O2014-0030 into the record.

This item will move to the November 12, 2014 Council meeting agenda for consideration for third reading adoption.

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

- 1) O2014-0023: An Ordinance amending Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish a Department of Sustainability and to provide for the powers and duties of the Director of Sustainability.

Sponsors: Councilmembers Simon, Miller, Connally, Brady, Germana, Conwell and Hairston

On a motion by Ms. Simon with a second by Mr. Hairston, Ordinance No. O2014-0023 was considered and adopted by unanimous vote.

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. R2014-0249 and R2014-0250.

- 1) R2014-0249: 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

A motion was made by Mr. Miller, seconded by Mr. Greenspan and approved by unanimous vote to amend Resolution No. R2014-0249 by deleting Item J in Section 1.

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0249 was considered and adopted by unanimous vote, as amended.

- 2) R2014-0250: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Fraternal Order of Police/Ohio Labor Council, representing approximately 163 employees in four classifications at the Cuyahoga County Court of Common Pleas for the period 2/1/2014 - 12/31/2016; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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 Law on behalf of Cuyahoga County Court of Common Pleas

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0250 was considered and adopted by unanimous vote.

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

- 1) R2014-0251: A Resolution making an award on RQ24534 to East 22 Redevelopment LLC for lease with an option to purchase County-owned property commonly known as the former Juvenile Court Complex, located at 2210 Cedar Road, Cleveland, for the period 1/1/2015 - 12/31/2059; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2014-0251 to the Public Works, Procurement & Contracting Committee.

- 2) R2014-0252: A Resolution making an award on RQ31792 to Shook Construction Co. for design-build services for the Emergency Operations Center Project located in the City of Broadview Heights; authorizing the County Executive to negotiate, enter into, and execute an initial contract with Shook Construction Co. in the amount not-to-exceed \$2,148,732.00 for the period 11/12/2014 - 11/12/2016 and to execute all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Departments of Public Works and Public Safety and Justice Services

Council President Connally referred Resolution No. R2014-0252 to the Public Works, Procurement & Contracting Committee.

- 3) R2014-0253: A Resolution authorizing the issuance and sale of Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (Lakefront Pedestrian Bridge), in an aggregate principal amount not-to-exceed \$10,000,000.00 for the purpose of acquiring an interest in, and paying or reimbursing a portion of the cost of constructing and maintaining, a pedestrian/ bicycle bridge to be located between the northeast corner of Mall C and the downtown lakefront in the vicinity of the Great Lakes Science Center and Rock and Roll Hall of Fame and Museum and spanning railroad tracks owned by Norfolk Southern, CSX and Amtrak, GCRTA Waterfront Line tracks, City-owned property (Amtrak parking lot), Memorial Shoreway (SR2) including the mainline and access ramps, and Erieside Avenue, and for the purpose of paying capitalized interest on the bonds and paying the costs of issuance in connection therewith; 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 trust indenture 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/Fiscal Officer/Office of Budget & Management

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2014-0253 to the Finance & Budgeting Committee.

- 4) R2014-0254: A Resolution authorizing the issuance and sale of sales tax revenue bonds of the County of Cuyahoga, Ohio, in a principal amount not-to-exceed \$35,800,000.00 for the purpose of refunding all or a portion of the County's Sewer District Improvement Bonds, Series 2000, and advance refunding all or a portion of the County's Sewer District Improvement Bonds, Series 2005, and Various Purpose General Obligation (Limited Tax) Bonds, Series 2009A (Tax-Exempt); 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 trust indenture, one or more escrow agreements, 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/Fiscal Officer/Office of Budget & Management

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2014-0254 to the Finance & Budgeting Committee.

- 5) R2014-0255: A Resolution authorizing the issuance and sale of Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (County Facilities Improvement), in an aggregate principal amount not-to-exceed \$168,000,000.00 for the purposes of paying or reimbursing the costs of constructing, maintaining, expanding, refurbishing, renovating, upgrading, improving, furnishing, and equipping the Cuyahoga County Administrative Headquarters, the Cuyahoga County Corrections Center, the Justice Center, the Cuyahoga County Juvenile Justice Center, the Medical Examiner's Office, the Office of Emergency Management, the Jane Edna Hunter Building, and certain other related improvements and facilities operated by the County and for the purpose of paying capitalized interest on the bonds and paying the costs of issuance in connection therewith; 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 trust indenture 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/Fiscal Officer/Office of Budget & Management

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2014-0255 to the Finance & Budgeting Committee.

- 6) R2014-0256: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Tax-Exempt Economic Development Refunding Revenue Bonds, Series 2014C (Medical Mart/Convention Center Project) in an aggregate principal amount not-to-exceed \$21,000,000.00 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 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/Fiscal Officer/Office of Budget and Management

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2014-0256 to the Finance & Budgeting Committee.

- 7) R2014-0257: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Taxable Economic Development Revenue Bonds, Series 2014B (Western Reserve Fund) in an aggregate principal amount not-to-exceed \$24,500,000.00 for the purpose of providing moneys to pay costs of “Projects” 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 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/Fiscal Officer/Office of Budget & Management

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2014-0257 to the Finance & Budgeting Committee.

- 8) R2014-0258: A Resolution making an award on RQ30390 to Caremark PCS Health, LLC in the amount not-to-exceed \$40,189,733.00 for group healthcare benefits for County employees and their eligible dependents including pharmacy benefit management services for the period 1/1/2015 - 12/31/2017; 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. R2014-0258 to the Human Resources, Appointments & Equity Committee.

- 9) R2014-0259: A Resolution making an award on RQ30390 to Medical Mutual of Ohio in the amount not-to-exceed \$116,156,022.00 for group healthcare benefits for County employees and their eligible dependents including medical and pharmacy benefit management services for the period 1/1/2015 - 12/31/2017; 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. R2014-0259 to the Human Resources, Appointments & Equity Committee.

- 10) R2014-0260: A Resolution making an award on RQ30390 to United Healthcare Services, Inc. in the amount not-to-exceed \$68,308,890.00 for group healthcare benefits for County employees and their eligible dependents including medical benefit management services for the period 1/1/2015 - 12/31/2017; 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. R2014-0260 to the Human Resources, Appointments & Equity Committee.

- 11) R2014-0261: A Resolution making an award on RQ30784 to Pictometry International Corp. in the amount not-to-exceed \$1,378,626.27 for Geographical Information System data and software, aerial photography and related professional services for the period 9/1/2014 - 8/31/2018; 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 Information Technology

Council President Connally referred Resolution No. R2014-0261 to the Finance & Budgeting Committee.

- 12) R2014-0262: A Resolution authorizing an amendment to Agreement No. AG1200285-01 with Educational Service Center of Cuyahoga County for fiscal agent services for the Families and Schools Together Program in connection with the Ohio Children's Trust Fund FY2013 Grant Program for the period 7/1/2012 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$614,036.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council

Council President Connally referred Resolution No. R2014-0262 to the Education, Environment & Sustainability 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. R2014-0242, R2014-0243, R2014-0244, R2014-0245 and R2014-0246.

- 1) R2014-0242: A Resolution authorizing a revenue generating Utility Agreement with Village of Oakwood for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 18; 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/Division of County Engineer

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0242 was considered and adopted by unanimous vote.

- 2) R2014-0243: A Resolution authorizing an Economic Development Collateral Enhancement in the amount not-to-exceed \$5,000,000.00 for the benefit of Schofield Properties, LLC for renovation and redevelopment of the historic Schofield Building, located at 2000 East 9th Street, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said collateral enhancement and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development **and Councilmembers Conwell and Simon**

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0243 was considered and adopted by unanimous vote.

- 3) R2014-0244: A Resolution authorizing an agreement with City of Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 - 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.

Sponsor: County Executive FitzGerald/Department of Human Resources

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

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0244 was considered and adopted by unanimous vote.

- 4) R2014-0245: A Resolution authorizing an agreement with City of Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 - 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 Hairston

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

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0245 was considered and adopted by unanimous vote.

- 5) R2014-0246: A Resolution authorizing a revenue generating agreement with City of Cleveland in the amount of \$2,033,333.00 for Crime Lab testing services for the period 11/1/2014 - 12/31/2025; 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/Medical Examiner

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2014-0246 was considered and adopted by unanimous vote.

d) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2014-0234: A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller

On a motion by Mr. Miller with a second by Mr. Hairston, Resolution No. R2014-0234 was considered and adopted by a majority roll-call vote of 7 yeas and 4 nays with Councilmembers Brady, Germana, Conwell, Jones, Hairston, Simon and Miller voting in the affirmative and Councilmembers Gallagher, Schron, Greenspan and Connally casting dissenting votes.

[Clerk's Note: The legislation did not receive the affirmative vote of at least eight members of Council; therefore, it is not effective immediately.]

e) CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- 1) O2014-0014: An Ordinance establishing the Cuyahoga County Property Demolition Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development and Councilmembers Jones, Connally, Brady, Simon, Hairston, Conwell, Miller and Germana

Mr. Greenspan introduced a proposed substitute to Ordinance No. O2014-0014. Discussion ensued.

A motion was made by Mr. Greenspan, seconded by Mr. Brady and approved by a majority roll-call vote of 8 yeas and 3 nays to substitute Ordinance No. O2014-0014, with Councilmembers Brady, Germana, Gallagher, Schron, Jones, Greenspan, Miller and Connally voting in the affirmative and Councilmembers Conwell, Hairston and Simon casting dissenting votes.

Mr. Schron introduced a proposed substitute to Ordinance No. O2014-0014. Discussion ensued.

A motion was then made by Mr. Schron and seconded by Ms. Conwell to substitute Ordinance No. O2014-0014. The motion failed by a roll-call vote of 2 yeas and 9 nays with Councilmembers Schron and Greenspan voting in the affirmative and Councilmembers Brady, Germana, Gallagher, Conwell, Jones, Hairston, Simon, Miller and Connally casting dissenting votes.

Mr. Miller introduced a proposed amendment to Ordinance No. O2014-0014. Discussion ensued.

A motion was made by Mr. Miller, seconded by Mr. Brady and approved by unanimous vote to amend Section 807.03(D)(v) of Ordinance No. O2014-0014 as follows:

A commitment to take, or refrain from taking, any action that may adversely affect the tax exempt status of any bonds issued by the County to fund the property demolition program. that the applicant (a) will take or cause to be taken such actions that may be required of it for the interest on the bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion.

Mr. Jones then introduced a proposed amendment to Ordinance No. O2014-0014. Discussion ensued.

A motion was made by Mr. Jones, seconded by Mr. Miller and approved by a unanimous roll-call vote to amend Ordinance No. O2014-0014 by inserting an additional "WHEREAS" clause in the preamble as follows:

WHEREAS, the Council intends to establish a Property Demolition Oversight Committee to supervise the administration of the Cuyahoga County Property Demolition Fund and ensure the Property Demolition Program is administered efficiently and effectively; and

Ms. Simon introduced a proposed amendment to Ordinance No. O2014-0014. Discussion ensued.

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to amend Section 807.03 of Ordinance No. O2014-0014 by inserting (I) as follows:

- I. **A revolving loan fund will be created to receive any principle loan repayments referred to in Section H. The source of the grant referred to in Section H will be paid from the revolving loan fund referred to herein.**

On a motion by Mr. Jones with a second by Mr. Hairston, Ordinance No. O2014-0014 was considered and adopted by unanimous vote, as substituted and amended.

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

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's risk management procedures and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective. (Sponsored by Executive/Law and Jones)

Clerk Schmotzer reported that the above listed item was withdrawn at the request of the sponsor(s). No legislative action was taken nor required.

12. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, November 10, 2014 at 1:00 p.m. and on Tuesday, November 18, 2014 at 3:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, November 18, 2014 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, November 5, 2014 at 11:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, November 5, 2014 at 3:00 p.m.

13. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

14. PUBLIC COMMENT UNRELATED TO AGENDA

There were no public comments given unrelated to the agenda.

15. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 7:18 p.m., without objection.