



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 9, 2012
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 5:00 p.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, 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 there be a moment of silent meditation for personal reflection.

5. PUBLIC COMMENT RELATED TO AGENDA

The following individuals addressed Council regarding issues of concern to them relating to Resolution No. R2012-0189, a Resolution making an award on RQ22640 to Brigadier Construction Services, LLC, in the amount of \$6,444,000.00 for the Cuyahoga County Corrections Center Jail Kitchen Renovation Project:

- a) Ms. Shawnte Thompson**
- b) Ms. Audra Zarlenga, Esq.**
- c) Mr. Norman Edwards**

6. APPROVAL OF MINUTES

- a) September 25, 2012 Regular Meeting

A motion was made by Mr. Greenspan, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the September 25, 2012 regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) Congratulated Deputy Clerk of Council Nikima Barnhill and her husband David Muller, who were married by Council President Connally in Council Chambers on Friday, October 5, 2012; and**
- 2) Announced there are 15 open board appointments available for the Citizens' Committee as established by the Equity Plan adopted by Council. Candidates should be prepared to meet on a quarterly basis and produce semi-annual reports and recommendations relating to the Equity Plan. There is also a vacancy on the Soldiers and Sailors Monument Commission. Veterans will receive preference for this appointment and applications are available on the County website.**

In accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to add Ordinance No. O2012-0011 to the agenda as an additional item under No. 14.

- a) Presentation of various Proclamations to commemorate October as awareness month in Cuyahoga County:
- 1) Breast Cancer

Ms. Deb Ferenc, General Administrator of the Breast Cancer Fund of Ohio, addressed Council regarding commemorating October as Breast Cancer Awareness Month in Cuyahoga County.

- 2) Disability Employment

Ms. Nancy Siedel, representing the Advisory Committee on Persons with Disabilities, and Ms. Vanessa Pesec, Vice Chair of the Advisory Committee on Persons with Disabilities, addressed Council regarding commemorating October as Disability Employment Awareness Month in Cuyahoga County.

- 3) Cyber Security

Mr. Jeff Mowry, Chief Information Officer, and Mr. Joseph Hernandez, Security Analyst, addressed Council regarding commemorating October as Cyber Security Awareness Month in Cuyahoga County.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- 1) Addressed comments made in the Cleveland Plain Dealer relating to the Ohio Department of Transportation and the Ohio Turnpike study. The last Town Hall meeting took place in Lucas County and there are two more meetings scheduled to take place in Mahoning and Erie Counties. Council will be notified when the dates and times are set; and**
- 2) Announced there are two Town Hall meetings scheduled to take place; one on Wednesday, October 10, 2012 at 7:30 p.m. in Gates Mills with the Gates Mills Improvement Association and one on Thursday, October 18, 2012 in Parma at Parma City Hall. The U.S. Attorney's Office is also hosting a Consumer Fraud Summit on Thursday, October 11, 2012 at 12:00 p.m.**

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0214.

- a) R2012-0214: A Resolution honoring the Taoiseach of Ireland, Enda Kenny, on the occasion of his visit; honoring the Republic of Ireland and the County of Mayo for the contributions of Irish-Americans in Cuyahoga County; declaring Cuyahoga County's commitment to preserve and cultivate economic ties with the Republic of Ireland and County Mayo; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Council President Connally and Councilmember Gallagher

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0214 was considered and adopted by unanimous vote.

10. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING AND REFERRAL TO COMMITTEE

- a) M2012-0025: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Charter Review Commission, and declaring the necessity that this Motion become immediately effective:

- 1) Patrick McLaughlin
- 2) Shawn Riley
- 3) Kenneth Callahan
- 4) Bruce Akers
- 5) Nancy Dietrich
- 6) William Tarter
- 7) Davida Russell
- 8) Mylayna Albright
- 9) Miesha Headen

Sponsor: Council President Connally

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

Council President Connally referred Motion No. M2012-0025 to the Human Resources, Appointments & Equity Committee.

11. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion No. M2012-0026.

- a) M2012-0026: A Motion confirming the County Executive's appointment of Jan L. Roller to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors, and declaring the necessity that this Motion become immediately effective.

Sponsors: Council President Connally **and Councilmembers Brady and Simon**

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

On a motion by Ms. Conwell with a second by Mr. Schron, Motion No. M2012-0026 was considered and adopted by unanimous vote.

12. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2012-0215: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more group purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2013, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of The MetroHealth System

Council President Connally referred Resolution No. R2012-0215 to the Public Works, Procurement & Contracting Committee.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2012-0190 and R2012-0212.

- a) R2012-0190: A Resolution approving the City of Cleveland to retain a certain City Land Bank parcel for devotion to public use to construct a new Third District Police Station, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally **and Councilmembers Conwell and Jones**

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0190 was considered and adopted by unanimous vote.

- b) R2012-0212: A Resolution adopting the 2013 - 2028 Solid Waste Management Plan Update for the Cuyahoga County Solid Waste Management District, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Rogers on behalf of Cuyahoga County Solid Waste Management District **and Councilmembers Simon and Germana**

Committee Assignment and Chair: Environment & Sustainability – Rogers

On a motion by Mr. Rogers with a second by Ms. Simon, Resolution No. R2012-0212 was considered and adopted by unanimous vote.

14. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

[Note: In accordance with Rule 6B of the County Council Rules, the following item was added to the agenda and read into the record by the Clerk of Council.]

- a) **O2012-0011: An Ordinance establishing a Casino Revenue Fund for the purpose of collecting and expending proceeds from gross casino revenues, and determining the uses for such proceeds and the time frames for such uses.**

Clerk Schmotzer read Ordinance No. O2012-0011 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0216.

- a) **R2012-0216: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 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. Simon, Resolution No. R2012-0216 was considered and adopted by unanimous vote.

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

[Note: Item No. 16 was taken out of order after Item No. 24 on the agenda.]

A motion was then made by Ms. Simon, seconded by Mr. Germana and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters concerning collective bargaining, and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 6:40 p.m. The following members were present: Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller and Connally. The following additional attendees were present: Director of Law Majeed Makhoulouf, Assistant Law Director Joseph Boatwright, Assistant Law Director Christopher Russ, Deputy Law Director Nora Hurley, Human Resources Director Elise Hara, County Executive Ed FitzGerald and Mr. Mike Salay, Food Service Supervisor for the Office of the Sheriff. At 6:53 p.m. Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.

A motion was then made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0217.

- a) R2012-0217: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, U.A.W. Region 2-B, covering approximately 18 employees in the classifications of Cooks, Laundry and Custodial Workers in the County Sheriff's Department, effective through 6/30/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute all documents consistent with this Resolution; 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 Mr. Germana, Resolution No. R2012-0217 was considered and adopted by unanimous vote.

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

- a) R2012-0218: A Resolution making awards on RQ24243 to various providers for debt collection services for the Cuyahoga County Clerk of Courts for the period 11/1/2012 - 10/31/2014; authorizing the County Executive to execute the revenue generating agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) NCO Financial Systems, Inc.
- 2) Weltman, Weinberg & Reis Co., L.P.A.

Sponsors: County Executive FitzGerald/Clerk of Courts and Councilmembers Connally and Gallagher

Council President Connally referred Resolution No. R2012-0218 to the Finance & Budgeting Committee.

- b) R2012-0219: A Resolution authorizing the issuance and sale of health care and independent living facilities revenue bonds, Series 2012 (Eliza Jennings Senior Care Network Project), in an aggregate principal amount not to exceed \$25,000,000.00 for the purposes of (i) currently refunding bonds issued by the County, and (ii) paying certain costs of issuance; providing for the assignment of revenues for the payment of those bonds; authorizing the execution and delivery of Amendments to Base Leases, Amendments to Leases, Supplemental Trust Indentures, a Bond Purchase Agreement, a First Amended Assignment of Rights under Leases, a First Amended Assignment of Basic Rent and other instruments and documents in connection with the issuance of those bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Calfee, Halter & Griswold LLP

Council President Connally referred Resolution No. R2012-0219 to the Economic Development & Planning Committee.

- c) R2012-0220: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for the Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 5/31/2014 to decrease the time period to 6/30/2013 and for additional funds in the amount of \$800,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution.

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

Council President Connally referred Resolution No. R2012-0220 to the Justice Affairs Committee.

- d) R2012-0221: A Resolution authorizing a grant agreement with City of Cleveland in the amount not-to-exceed \$1,273,537.00 for implementation of the Emergency Solutions Grant Program for the period 10/1/2012 - 12/31/2013; 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/Division of Community Initiatives/
Office of Homeless Services

**Council President Connally referred Resolution No. R2012-0221 to the Health,
Human Services & Aging Committee.**

- e) R2012-0222: A Resolution making awards on RQ24301 to various providers in the total amount not-to-exceed \$2,401,782.00 for the Emergency Solutions Grant Program for the period 10/1/2012 - 12/31/2013; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) Cleveland Mediation Center in the amount not-to-exceed \$685,600.00 for Diversion Services.
 - 2) Cleveland Tenants Organization in the amount not-to-exceed \$98,000.00 for Homeless Prevention Information and Referral Services.
 - 3) Emerald Development & Economic Network, Inc. in the amount not-to-exceed \$869,832.00 for Rapid Re-housing Services.
 - 4) Mental Health Services, Inc. in the amount not-to-exceed \$720,000.00 for implementation of a Coordinated Assessment and Intake System.
 - 5) United Way of Greater Cleveland in the amount not-to-exceed \$28,350.00 for Web-based Housing Listing Services.

Sponsor: County Executive FitzGerald/Division of Community Initiatives/
Office of Homeless Services

**Council President Connally referred Resolution No. R2012-0222 to the Health,
Human Services & Aging Committee.**

18. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND
READING

A motion was made by Mr. Miller, 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 and description to constitute the second reading for Resolution Nos. R2012-0196, R2012-0201, R2012-0202, R2012-0203, R2012-0204, R2012-0205, R2012-0206, R2012-0207, R2012-0208, R2012-0209, R2012-0210, R2012-0211 and R2012-0213.

- a) R2012-0196: A Resolution authorizing the issuance of not-to-exceed \$15,100,000.00 County of Cuyahoga, Ohio, Economic Development

Refunding Revenue Bonds (University School project), in two or more series, for the purpose of refunding the remaining outstanding principal amount of the \$15,845,000.00 County of Cuyahoga, Ohio, Economic Development Refunding Revenue Bonds, Series 2009 (University School project), which were issued to provide funds to assist University School in the refinancing of costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code; authorizing the execution and delivery of a loan agreement pertaining to the project and a trust indenture securing the payment of the Bonds; 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.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Economic Development & Planning – Schron

Clerk Schmotzer read Resolution No. R2012-0196 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- b) R2012-0201: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$39,721,000.00 to provide funds to pay costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0201 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- c) R2012-0202: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$21,350,000.00 to provide funds to pay costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0202 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- d) R2012-0203: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$1,205,000.00 to provide funds to pay costs of acquiring radios and other communications equipment, together with all necessary appurtenances, for use in carrying out functions of the sheriff's department; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0203 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- e) R2012-0204: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$880,000.00 to provide funds to pay costs of improving the county fairgrounds by acquiring,

constructing and installing a wind turbine and related equipment to provide electric power to the fairgrounds; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0204 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- f) R2012-0205: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$847,000.00 to provide funds to pay costs of reconstructing, resurfacing and otherwise improving and equipping runways at the county airport, together with necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0205 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- g) R2012-0206: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$36,925,000.00 to advance refund at a lower interest cost all or a portion of the \$36,925,000.00 of the county's outstanding county building and facilities bonds, series 2004, that are stated to mature on December 1 in each of the years from 2015 through 2024, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to pay costs of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and acquiring, improving and equipping sites for such buildings, facilities and structures,

in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0206 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- h) R2012-0207: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$8,975,000.00 to advance refund at a lower interest cost all or a portion of the \$8,975,000.00 of the county's outstanding county correctional and detention facilities improvement bonds, series 2004, that are stated to mature on December 1 in each of the years from 2015 through 2022, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to pay costs of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and acquiring and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0207 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- i) R2012-0208: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$1,065,000.00 to advance refund at a lower interest cost all or a portion of the \$1,065,000.00 of the

county's outstanding capital improvement bonds, series 2004 (Orange Place Extension Project), that are stated to mature on December 1 in each of the years from 2015 through 2024, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to provide funds to pay the county's portion of the cost of improving Orange Place, in cooperation with the Village of Orange Village, by grading, draining, curbing, paving and constructing sidewalks, storm and sanitary sewers and water lines, in each case together with the necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0208 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- j) R2012-0209: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$440,000.00 to advance refund at a lower interest cost all or a portion of the \$440,000.00 of the county's outstanding sewer district improvement bonds, series 2004 (County Improvement No. 1460, Phase I), that are stated to mature on December 1 in each of the years from 2015 through 2022, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to provide funds, in anticipation of the collection of special assessments theretofore levied, to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase I, being water lines in five roads in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management **and Councilmember Gallagher**

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0209 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- k) R2012-0210: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$90,000.00 to advance refund at a lower interest cost all or a portion of the \$90,000.00 of the county's outstanding sewer district improvement bonds, series 2004 (County Improvement No. 1460, Phase II), that are stated to mature on December 1 in each of the years from 2015 through 2024, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to provide funds, in anticipation of the collection of special assessments theretofore levied, to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase II, a 12-inch waterline and appurtenances in Sharp Road from Sprague Road to Schady Road, in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management **and Councilmember Gallagher**

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0210 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- l) R2012-0211: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$110,000.00 to advance refund at a lower interest cost all or a portion of the \$110,000.00 of the county's outstanding sewer district improvement bonds, series 2004 (County Water Improvement No. 2300), that are stated to mature on December 1 in each of the years from 2015 through 2022, all of which were issued as a part of a consolidated issue of capital improvement bonds, series 2004, dated as of September 15, 2004, to provide funds, in anticipation of the collection of special assessments theretofore levied, to pay the property owners' portion of the cost of constructing County Water Improvement No. 2300 in County Sewer District No. 23 in Chagrin Falls Township; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0211 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- m) R2012-0213: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$2,020,000.00 to provide funds for the county's contribution to the acquisition and equipping of the Village of Highland Hills municipal building, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto, which building is to be used jointly by the Village and the county as a community center for governmental and civic purposes in accordance with a cooperative agreement between the Village and the County; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2012-0213 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2012-0189, R2012-0194, R2012-0195, R2012-0197, R2012-0198. R2012-0199 and R2012-0200.

- a) R2012-0189: A Resolution making an award on RQ22640 to Brigadier Construction Services, LLC, in the amount of \$6,444,000.00 for the Cuyahoga County Corrections Center Jail Kitchen Renovation Project;

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.

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmembers Gallagher, **Simon, Rogers, Jones, Germana, Conwell and Connally**

Committee Assignment and Chair: Public Safety – Gallagher

On a motion by Mr. Rogers with a second by Ms. Simon, Resolution No. R2012-0189 was considered and adopted by majority vote, with Councilmember. Greenspan casting the only dissenting vote.

- b) R2012-0194: A Resolution declaring that public convenience and welfare requires reconstruction of Columbia Road, Cook Road, Mapleway Drive, River Road and Water Street in the City of Olmsted Falls and Olmsted Township; total estimated construction cost \$576,792.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into agreements of cooperation with said municipality and township in connection with said project.

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

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

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2012-0194 was considered and adopted by unanimous vote.

- c) R2012-0195: A Resolution making an award on RQ23208 to Mead and Hunt, Inc. in the amount not-to-exceed \$897,252.28 for an environmental assessment study for the Cuyahoga County Airport for improvements included in the Master Plan Update and future Airport Layout Plan; 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.

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

Committee Assignment and Chair: Environment & Sustainability – Rogers

On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2012-0195 was considered and adopted by unanimous vote.

- d) R2012-0197: A Resolution authorizing an agreement with the Village of North Randall for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2012 - 12/31/2014, and authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution.

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

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

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2012-0197 was considered and adopted by unanimous vote.

- e) R2012-0198: A Resolution making an award on RQ24643 to Cleveland Communications, Inc. in the amount of \$1,204,191.88 for the purchase of 56 Harris Unity Mobile and 190 Portable Multi-Band Radios and accessories for the County Sheriff's Office; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

Committee Assignment and Chair: Public Safety – Gallagher

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2012-0198 was considered and adopted by unanimous vote.

- f) R2012-0199: A Resolution authorizing an amendment to Contract No. CE1000688-01 with Goodwill Industries of Greater Cleveland and East Central Ohio, Inc. for Staffing for Unpaid Work Experience and Community Service Programs for Ohio Works First cash recipients for the period 10/1/2010 - 9/30/2012 to extend the time period to 9/30/2013 and for additional funds in the amount of \$571,550.00; 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 Employment and Family Services/Cuyahoga Support Enforcement Agency

Committee Assignment and Chair: Health, Human Services & Aging –
Brady

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2012-0199 was considered and adopted by unanimous vote.

- g) R2012-0200: A Resolution approving a license fee of \$20.00 for all dogs, effective 12/1/2012; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Fiscal Officer and Councilmember Simon

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2012-0200 was considered and adopted by majority vote, with Councilmembers Greenspan and Schron casting dissenting votes.

20. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- a) R2012-0174: A Resolution authorizing an Economic Development Loan in the amount not-to-exceed \$566,312.00 to NSL Analytical Services, Inc. for purchase of test equipment for a facility located at 4535 Renaissance Parkway, Warrensville Heights; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution.

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

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2012-0174 was considered and adopted by unanimous vote.

21. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2012-0030: An Ordinance establishing the organizational structure of the Department of Development and creating divisions within the department, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Ordinance No. O2012-0030 to the Economic Development & Planning Committee.

22. COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES FOR SECOND READING

- a) O2012-0025: An Ordinance amending Ordinance No. O2011-0028, which adopted the Cuyahoga County Human Resources Personnel Policies and Procedures Manual, to amend Section 6.12 to mandate the use of direct deposit for paying employees' compensation; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer and Department of Human Resources

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

Clerk Schmotzer read Ordinance No. O2012-0025 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

- b) O2012-0029: An Ordinance authorizing the renaming of the Division of Employment and Family Services/Cuyahoga Support Enforcement Agency to Cuyahoga Job and Family Services (CJFS); and declaring the necessity that this Ordinance become immediately effective.

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

Committee Assignment and Chair: Health, Human Services & Aging – Brady

Clerk Schmotzer read Ordinance No. O2012-0029 into the record.

This item will move to the October 23, 2012 Council meeting agenda for consideration for third reading adoption.

23. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, October 15, 2012 at 1:00 p.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, October 11, 2012 at 1:00 p.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, October 11, 2012 at 11:00 a.m.

Ms. Simon reported that the Justice Affairs Committee will meet on Friday, October 12, 2012 at 11:30 a.m.

Mr. Greenspan reported that there will be a Town Hall meeting on Thursday, October 18, 2012 at 7:00 p.m. at Tri-C's Westshore Campus to discuss the County Board of Elections process.

Mr. Schron reported that he will also attend the meeting of the Gates Mills Improvement Association on Wednesday, October 10, 2012 with County Executive FitzGerald.

24. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

25. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding issues of concern to them relating to closing the South Euclid Lyndhurst branch of the Cuyahoga County Public Library:

- a) Ms. Kathy Schaefer**
- b) Ms. Fran Mentsch**

26. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 6:55 p.m., without objection.