



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 11, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
6:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 6:02 p.m.

2. ROLL CALL

Council President Connally asked the Clerk to call the roll. Councilmembers Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, 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 there be a moment of silent meditation for personal reflections on the current economic situation.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given.

6. APPROVAL OF MINUTES

- a) September 27, 2011 Meeting

A motion was made by Mr. Greenspan, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the September 27, 2011 meeting.

After approval of the minutes and in accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Miller, seconded by Mr. Brady and unanimously approved to add Resolution No. R2011-0295 to the agenda as an additional item under #12.

7. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- a) **Summarized the proposed 2012/2013 biennial budget including anticipated revenues, expenses, new initiatives and significant changes.**
- b) **Legislation creating the Department of Communications will be provided to Council for the next meeting.**

8. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2011-0049: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective:

- 1) Ann Avery
- 2) Chris Ritter
- 3) Miriam Ampeire
- 4) Maridell Couture
- 5) Michael Formen
- 6) Thomas Blackenship

Sponsor: Council President Connally

Council President Connally referred Motion No. M2011-0049 to the Human Resources, Appointments & Equity Committee.

9. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS 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 Nos. M2011-0046 and M2011-0047.

- a) M2011-0046: A Motion confirming the County Executive's appointment of individuals to serve on the Greater Cleveland Sports Commission, and declaring the necessity that this Motion become immediately effective:

- 1) The Honorable Charles Smith
- 2) Marc A. Sanchez, Esq.

Sponsor: Council President Connally

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

On a motion by Mr. Schron with a second by Ms. Conwell, Motion No. M2011-0046 was considered and approved by unanimous vote.

- b) M2011-0047: A Motion confirming the County Executive’s appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective:

- 1) Michael Bennet
- 2) Shawn Brown
- 3) Kate Burnett
- 4) Kimberlin Dennis
- 5) Clinton Droster
- 6) Darryl Fore
- 7) Sue Goins
- 8) Diana Green
- 9) Barb Gripshover
- 10) Laureen Harbert
- 11) James Jarrell
- 12) Tammie Jones
- 13) Rachel Klco
- 14) Trudi Kozak
- 15) Gilbert Kudrin
- 16) Ricky Lanza
- 17) Mark Lehman
- 18) Clinton Leverett
- 19) Jeffrey Mazo
- 20) Michelle Melnick
- 21) Naimah O’Neal
- 22) James Price
- 23) Ray Saludaes
- 24) Kate Shumate
- 25) Anthony Forbes
- 26) Max Rodas
- 27) Halima Grant
- 28) Phillip Weems
- 29) Cecelia Huffman-White

Sponsor: Council President Connally

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

On a motion by Mr. Schron with a second by Ms. Conwell, Motion No. M2011-0047 was considered and approved by unanimous vote.

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

- a) O2011-0048: An Ordinance requiring the County Executive to contract for and conduct a Disparity Study in 2012 and, if required by law to validate the Disparity Study, every five years thereafter; and requiring annual updates of said Study, if required by law.

Sponsors: Councilmembers Jones, Connally, Brady, Conwell, **Rogers, Miller** and County Executive FitzGerald

Council President Connally referred Ordinance No. O2011-0048 to the Public Works, Procurement & Contracting Committee.

11. 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. R2011-0290.

- a) R2011-0290: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2011-0290 was considered and adopted by unanimous vote.

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

- a) R2011-0291: A Resolution adopting the 2012/2013 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2011-0291 to the Finance & Budgeting Committee through the Committee of the Whole.

- b) R2011-0292: A Resolution authorizing the County Executive to enter into a contract with TranSystems Corporation of Ohio in the amount not-to-exceed \$994,216.00 for consultant engineering services for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2011-0292 to the Public Works, Procurement & Contracting Committee.

- c) R2011-0293: A Resolution establishing a list of certified providers for occupational skills training services for the Individual Training Account System for the period 7/1/2011 - 6/30/2014, and authorizing the County Executive to enter into agreements with said providers for said training services:

- 1) Allstate Hairstyling and Barber College
- 2) American Air Conditioning Academy
- 3) American Logistics Group, Inc.
- 4) American Red Cross, Greater Cleveland Chapter
- 5) Northern Ohio Chapter, Associated Builders and Contractors, Inc.
- 6) Ashari's Healthcare, LLC
- 7) ATS Institute of Technology
- 8) Auburn Career Center
- 9) Big Rig Truck Driving School, Inc.
- 10) Blossom 24 Hour We Care Center, Inc.
- 11) Brown Mackie College - Akron
- 12) Cleveland Institute for Dental - Medical Assistants, Inc.
- 13) Cleveland Industrial Training Center, Inc.

- 14) Compassions Training and Awareness Center, Inc.
- 15) Cuyahoga Community College District
- 16) Cuyahoga Valley Career Center
- 17) Gateway Educational Opportunities, Inc.
- 18) Great Lakes Truck Driving School, Inc.
- 19) Hamrick School
- 20) Hondros College
- 21) Inner State Beauty School
- 22) Kent State University
- 23) Lorain County Community College District
- 24) Lorain County JVS Adult Career Center
- 25) Med-Cert, Inc.
- 26) Micronetohio, Inc. dba Ace Tutors
- 27) New Bridge Cleveland Center for Arts and Technology
- 28) Ohio Technical College, Inc.
- 29) Polaris Career Center
- 30) Remington College
- 31) Solomon Enterprises, LTD. dba Lake Erie Barber College
- 32) The Notre Dame College
- 33) Union Construction Industry Partnership-Apprenticeship Skills Achievement Program
- 34) Ursuline College
- 35) Vatterot Educational Centers, Inc. dba Vatterott College
- 36) Vocational Guidance Services
- 37) Willoughby-Eastlake School of Practical Nursing

Sponsor: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3

Council President Connally referred Resolution No. R2011-0293 to the Economic Development & Planning Committee.

- d) R2011-0294: A Resolution authorizing awards on RQ19758 to various providers, in the total amount of \$2,995,616.00, for Workforce Investment Act In-School and Out-of School Youth Training for the period 9/1/2011 - 6/30/2012; and authorizing the County Executive to enter into contracts consistent with said awards:
- 1) Baldwin-Wallace College in the amount of \$110,180.00.
 - 2) Cuyahoga Community College District in the amount of \$400,000.00.
 - 3) Esperanza, Incorporated in the amount of \$175,000.00.
 - 4) Linking Employment, Abilities & Potential in the amount of \$196,436.00.
 - 5) Mayfield City School District in the amount of \$370,000.00.

- 6) Open Doors, Inc. in the amount of \$259,000.00.
- 7) Youth Opportunities Unlimited in the amount of \$450,000.00.
- 8) Berea Children's Home in the amount of \$490,000.00.
- 9) Cuyahoga Community College District in the amount of \$220,000.00.
- 10) Lutheran Metropolitan Ministry in the amount of \$175,000.00.
- 11) Towards Employment, Incorporated in the amount of \$150,000.00.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Council President Connally referred Resolution No. R2011-0294 to the Economic Development & Planning Committee.

[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.]

- e) **R2011-0295: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.**

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

Council President Connally referred Resolution No. R2011-0295 to the Health, Human Services & Aging Committee at the request of the Finance & Budgeting Committee Chair.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2011-0257, R2011-0286, R2011-0287, R2011-0288 and R2011-0289.

- a) **R2011-0257: A Resolution authorizing the issuance and sale of self-supporting housing revenue bonds in an amount not-to-exceed \$5,000,000.00 for Helen S. Brown Apartments, L.P. for the purpose of rehabilitating, improving and equipping a senior housing facility for low and moderate income seniors; authorizing the execution and delivery of a loan agreement, bond purchase agreement, trust indenture and tax**

regulatory agreement; authorizing and approving the use and distribution of a disclosure document; approving related matters; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Roetzel & Andress LPA

Committee Assignment and Chair: Economic Development & Planning
– Schron

On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2011-0257 was considered and adopted by unanimous vote.

- b) R2011-0286: A Resolution amending BOCC Resolution No. 101404 dated 4/20/2010, which declared that public convenience and welfare requires resurfacing of Belvoir Boulevard from Fairmount Boulevard to Mayfield Road in the Cities of South Euclid and University Heights, by adding the City of Shaker Heights, 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 municipalities in connection with said project.

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

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

On a motion by Ms. Simon with a second by Mr. Jones, Resolution No. R2011-0286 was considered and adopted by unanimous vote.

- c) R2011-0287: A Resolution authorizing the County Executive to enter into an agreement of cooperation with City of Cleveland for replacement of Cedar Road Bridge No. 229.

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

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

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2011-0287 was considered and adopted by unanimous vote.

- d) R2011-0288: A Resolution authorizing the County Executive to enter into an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$525,856.23 for administration of the Wellness Program for the period 7/1/2011 - 6/30/2012.

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

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

On a motion by Mr. Brady with a second by Mr. Rogers, Resolution No. R2011-0288 was considered and adopted by unanimous vote.

- e) R2011-0289: A Resolution authorizing the County Executive to enter into an agreement with Cuyahoga County Department of Senior & Adult Services in the amount not-to-exceed \$70,000.00 for direct care services for the Ryan White HIV/AIDS Treatment Modernization Act Part A Program for the period 3/1/2011 - 2/29/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services and Councilmember Jones

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2011-0289 was considered and adopted by unanimous vote.

14. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2011-0045.

- a) O2011-0045: An Ordinance establishing divisions and sections within the Department of Health and Human Services, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services and Councilmembers Brady, Jones, Miller, **Simon and Germana**

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

On a motion by Mr. Schron with a second by Ms. Simon, Ordinance No. O2011-0045 was considered and adopted by unanimous vote.

15. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- a) O2011-0043: An Ordinance providing for adoption of the Cuyahoga County Civil Service Pay Equity Plan, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Human Resource Commission

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

On a motion by Mr. Rogers with a second by Mr. Gallagher, Ordinance No. O2011-0043 was considered and adopted by unanimous vote.

16. MISCELLANEOUS COMMITTEE REPORTS

President Connally reported that she and Mr. Gallagher attended a meeting with the Cuyahoga County Agricultural Society regarding the County Fairgrounds.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, October 13, 2011 at 1:00 p.m. to hold a public hearing regarding the impending layoffs at The MetroHealth System.

Ms. Simon reported that the Justice Affairs Committee and Human Resources, Appointments & Equity Committee will meet jointly on Friday, October 21, 2011 at 11:30 a.m. to continue discussions relating to Ordinance No. O2011-0042 regarding the extension of health benefits to domestic partners of Cuyahoga County employees.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, October 13, 2011 at 11:00 a.m.

17. MISCELLANEOUS BUSINESS

Ms. Simon stated that County Executive FitzGerald and Fiscal Officer Wade Steen have established an essay contest entitle "Top Dog" to promote dog licensing in the County. Councilmembers will serve as judges for the contest. Details are posted on the County Executive and Fiscal Office websites.

18. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Edward McCartney addressed Council regarding issues of concern to him relating to his proposal to add the recognition of God to the preamble of the County Charter.

19. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Brady, the meeting was adjourned at 7:09 p.m., without objection.