



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 13, 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 6:05 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested that a moment of silent meditation be dedicated in honor of U.S. Army Sgt. Daniel Burgess, an employee of the Cuyahoga County Sheriff's Office, who was injured while serving in Afghanistan.

5. PUBLIC COMMENT RELATED TO AGENDA

The Honorable Nancy Fuerst, Administrative Judge for the Court of Common Pleas, addressed Council regarding issues of concern to her relating to Resolution No. R2011-0291, a Resolution adopting the 2012/2013 Biennial Operating Budget and Capital Improvements Program, and the need to restore funding to the Common Pleas Court budget.

6. APPROVAL OF MINUTES

- a) December 6, 2011 Meeting

A motion was made by Mr. Rogers, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the December 6, 2011 meeting.

7. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- 1) Expressed gratitude to Council regarding the budget hearings and process;**
- 2) Discussed the County's partnership with The MetroHealth System; and**
- 3) Recognized Sgt. Daniel Burgess for his service.**

After County Executive FitzGerald's report, and in accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Miller, seconded by Ms. Simon and unanimously approved to add Resolution Nos. R2011-0344 and R2011-0345 to the agenda as additional items under #9.

8. 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. R2011-0340.

- a) R2011-0340: 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. Miller with a second by Ms. Conwell, Resolution No. R2011-0340 was considered and adopted by unanimous vote.

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

- a) R2011-0341: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$605,412.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2010 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 8/1/2011 - 7/31/2012; 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.

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

Council President Connally referred Resolution No. R2011-0341 to the Health, Human Services & Aging Committee.

- b) R2011-0342: A Resolution authorizing a contract with MHS, Inc. in the amount not-to-exceed \$600,000.00 for the North Point Transitional Housing for Men Program for the period 10/1/2011 - 3/31/2012; 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.

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

Council President Connally referred Resolution No. R2011-0342 to the Health, Human Services & Aging Committee.

- c) R2011-0343: A Resolution authorizing a contract with The Salvation Army in the amount not-to-exceed \$527,499.00 for the PASS Transitional Housing Project for the Supportive Housing Program in connection with the FY2010 Continuum of Care for Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 11/1/2011 - 10/31/2012; 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.

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

Council President Connally referred Resolution No. R2011-0343 to the Health, Human Services & Aging Committee.

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

- d) R2011-0344: A Resolution reaffirming and approving a reduced dog license fee for spayed and neutered dogs, effective 12/1/2011; and declaring the necessity that this Resolution become immediately effective.**

Sponsors: County Executive FitzGerald/Fiscal Officer and Councilmember Simon

Council President Connally referred Resolution No. R2011-0344 to the Finance & Budgeting Committee.

- e) R2011-0345: A Resolution making an award on RQ21089 to Wellness IQ, Inc. in the amount not-to-exceed \$1,231,000.00 for Vitality Wellness Services for tracking County employees participating in the County's health benefit plans for the period 1/1/2012 - 12/31/2014; authorizing the County Executive to execute a 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. R2011-0345 to the Human Resources, Appointments & Equity Committee.

10. 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. R2011-0334, R2011-0335, R2011-0336, R2011-0337, R2011-0338 and R2011-0339.

- a) R2011-0334: A Resolution authorizing an assignment of leases from Cuyahoga County to Cuyahoga County Board of Developmental Disabilities, effective 1/1/2012, in connection with various contracts with North Coast Community Homes, Inc. for the lease/purchase of various properties for use as group homes for persons with developmental disabilities; authorizing the County Executive to execute the assignment of leases and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.**

- 1) No. CE03299 with Lomond House, located at 16613 Lomond Boulevard, Shaker Heights, for the period 12/1/1987 - 11/30/2012.
- 2) No. CE03434 with Pearl House, located at 6063 Pearl Road, Parma Heights, for the period 5/1/1987 - 4/30/2012.
- 3) No. CE03447 with Tremont House, located at 2440 West 14th Street, Cleveland, for the period 8/1/1987 - 7/31/2012.
- 4) No. CE03448 with Brooklyn House, located at 4248 West 35th Street, Cleveland, for the period 9/1/1987 - 8/31/2012.

Sponsor: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities

Committee Assignments and Chairs: Public Works, Procurement & Contracting – Jones and Health, Human Services & Aging – Brady

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2011-0334 was considered and adopted by unanimous vote.

- b) R2011-0335: A Resolution authorizing an amendment to a Brownfields Revolving Loan Subgrant award to City of Cleveland for an asbestos abatement project located at 5701 Carnegie Avenue, Cleveland, in connection with the American Recovery and Reinvestment Act Brownfields Revolving Loan Fund Program to add the time period 10/1/2009 - 9/30/2012 and for additional funds in the amount of \$674,835.47; 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 Development

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2011-0335 was considered and adopted by unanimous vote.

- c) R2011-0336: 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 2012, in

accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of The MetroHealth System and **Councilmembers Miller, Germana and Conwell**

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

On a motion by Mr. Rogers with a second by Mr. Jones, Resolution No. R2011-0336 was considered and adopted by unanimous vote.

- d) R2011-0337: A Resolution authorizing an agreement with The MetroHealth System in the amount not-to-exceed \$1,550,000.00 for medical, psychiatric, dental and pharmacy services for the period 12/14/2011 - ~~12/31/2012~~ **12/13/2012**; 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/County Sheriff and **Councilmembers Gallagher, Simon and Brady**

Committee Assignment and Chair: Public Safety – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Brady, Resolution No. R2011-0337 was considered and adopted by unanimous vote.

- e) R2011-0338: A Resolution amending BOCC Resolution No. 014247 dated 11/6/2001, which authorized an amendment to Contract No. CE11084-01 with Mt. Pleasant NOW Development Corporation for lease of office space for use by the Cuyahoga Health & Nutrition and Cuyahoga Work & Training Agencies and the Department of Children & Family Services for additional funds in the amount of \$700,000.00, by changing the time period from 10/1/2000 - 9/30/2010 to 10/1/2000 - 11/30/2011; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignments and Chairs: Public Works, Procurement & Contracting – Jones and Health, Human Services & Aging – Brady

On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2011-0338 was considered and adopted by unanimous vote.

- f) R2011-0339: A Resolution authorizing an amendment to Contract No. CE11084-01, 02 with Mt. Pleasant NOW Development Corporation for lease of office space for use by the Division of Employment and Family Services/Cuyahoga Support Enforcement Agency, Division of Children and Family Services and Division of Senior and Adult Services for the period 10/1/2000 - 11/30/2011 to extend the time period to 11/30/2014 and for additional funds in the amount of \$1,544,359.60; 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.

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

Committee Assignments and Chairs: Public Works, Procurement & Contracting – Jones and Health, Human Services & Aging – Brady

On a motion by Mr. Rogers with a second by Ms. Simon, Resolution No. R2011-0339 was considered and adopted by unanimous vote.

11. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 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.

Sponsors: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management and **Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Connally**

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to accept Resolution No. R2011-0291, as substituted.

A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to amend Resolution No. R2011-0291, as substituted, to add the following as new Section 3:

The County Executive may defer until July 1, 2012, spending money appropriated for personal services in the Department of Children & Family Services and the Department of Employment and Family Services that is above the amounts requested in the Executive's Recommended Budget, which was issued on October 14, 2011.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2011-0291 was considered and adopted by unanimous vote, as substituted and amended.

12. CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- a) O2011-0054: An Ordinance approving the revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, effective 1/1/2012, 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 Ms. Conwell, Ordinance No. O2011-0054 was considered and adopted by unanimous vote.

13. MISCELLANEOUS COMMITTEE REPORTS

Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, December 19, 2011 at 6:30 p.m. to discuss the Economic Development Fund.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Thursday, December 15, 2011 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will not meet this week.

Mr. Rogers reported that the Environment & Sustainability Committee will not meet this week.

Ms. Simon reported that the Justice Affairs Committee will not meet this week; however, the next meeting will be held jointly with the Human Resources, Appointments and Equity Committee on Friday, January 13, 2012.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, January 5, 2012 at 1:00 p.m.

Mr. Greenspan reported that the Rules, Ethics, Charter Review & Council Operations Committee will meet on Tuesday, January 10, 2012 at 1:00 p.m.

14. MISCELLANEOUS BUSINESS

At the request of Councilmembers Simon and Conwell, Council President Connally referred Ordinance No. O2011-0042, an Ordinance extending healthcare benefits to domestic partners of Cuyahoga County employees, to the Human Resources, Appointments & Equity Committee and to the Justice Affairs Committee.

On behalf of the Cuyahoga County Council, Council President Connally wished everyone a Happy Holiday Season and New Year.

15. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

16. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:57 p.m., without objection.