



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, AUGUST 28, 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 5:05 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

In honor of Navy Week, Council President Connally introduced several members of the United States Navy to lead the Pledge of Allegiance. The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated to all those impacted by Hurricane Isaac.

5. PUBLIC COMMENT RELATED TO AGENDA

The Honorable David Smith, Mayor of the Village of North Randall, addressed Council regarding issues of concern to him relating to Resolution No. R2012-0172, a Resolution authorizing a revenue generating agreement with Village of North

Randall for maintenance of storm and sanitary sewerage systems located in County Sewer District No. 5.

Ms. Ericka Forde, representing Oriana House; and Ms. Bishara Addison, representing Towards Employment, addressed Council regarding issues of concern to them relating to Ordinance No. O2012-0005, an Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment:

6. APPROVAL OF MINUTES

- a) August 14, 2012 Regular Meeting

A motion was made by Mr. Schron, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the August 14, 2012 regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) Council is engaged in the Charter Review Commission process. Council has had a number of meetings regarding various proposals and adopted rules for the Commission in March. According to the Charter, the Clerk of the Charter Review Commission is required to be named by September 15th. Currently, 80 to 90 people have applied and Council is awaiting a list of names proposed by the Executive in order to have ample time to review candidates.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment)

County Executive FitzGerald reported the following:

- 1) Announced that there have been town hall meetings regarding the privatization of the Ohio Turnpike in Elyria and Toledo;**
- 2) Issues regarding early voting continue across the State of Ohio. The County is supportive of efforts to extend early voting and the Law Department has filed an amicus brief in the lawsuit involving reinstating early voting on the Saturday and Sunday prior to Election Day that is currently pending in federal court;**
- 3) The County is on target with the budget imperative to reduce employment levels. For calendar year 2012, there are about 112 fewer positions than at the beginning of the year; and**

- 4) The Administration is currently formalizing a reporting process for employees who work offsite. Every director must have an oversight plan for employees who work independently offsite.**

9. 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. M2012-0022 and M2012-0023.

- a) M2012-0022: A Motion confirming the County Executive's appointment of Jennifer Scofield to serve on the Cuyahoga County Natural Resource Assistance Council, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

On a motion by Mr. Rogers with a second by Ms. Conwell, Motion No. M2012-0022 was considered and approved by unanimous vote.

- b) M2012-0023: A Motion confirming the County Executive's appointment of Harry Graham, Ph.D to serve on the Cuyahoga Community College Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

On a motion by Ms. Simon with a second by Ms. Conwell, Motion No. M2012-0023 was considered and approved by unanimous vote.

10. 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. R2012-0121 and R2012-0122.

- a) R2012-0121: A Resolution approving the City of Cleveland to retain certain City Land Bank parcels for devotion to public use as a Southern Service Center for Cleveland Public Power, and declaring the necessity that this Resolution become immediately effective:

- 1) No. 126-14-018
- 2) No. 126-14-019
- 3) No. 126-14-020
- 4) No. 126-14-021
- 5) No. 126-14-024
- 6) No. 126-14-025
- 7) No. 126-14-026
- 8) No. 126-14-027
- 9) No. 126-14-028
- 10) No. 126-14-029
- 11) No. 126-14-030
- 12) No. 126-14-031
- 13) No. 126-14-032
- 14) No. 126-14-042
- 15) No. 126-14-100
- 16) No. 126-14-101
- 17) No. 126-14-102
- 18) No. 126-14-103
- 19) No. 126-14-105
- 20) No. 126-14-106
- 21) No. 126-14-107
- 22) No. 126-14-108
- 23) No. 126-14-109
- 24) No. 126-14-110
- 25) No. 126-14-111
- 26) No. 126-14-112
- 27) No. 126-14-113
- 28) No. 126-14-114

Sponsors: Council President Connally and Councilmembers Jones,
Conwell and Rogers

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with second by Ms. Conwell, Resolution No. R2012-0121 was considered and adopted by unanimous vote.

- b) R2012-0122: A Resolution approving the City of Cleveland to retain certain City Land Bank parcels for devotion to public use to expand and improve League Park, and declaring the necessity that this Resolution become immediately effective:

- 1) No. 106-13-039
- 2) No. 106-13-042
- 3) No. 106-13-043
- 4) No. 106-13-076
- 5) No. 106-13-074
- 6) No. 106-13-073
- 7) No. 106-13-072
- 8) No. 106-13-071
- 9) No. 106-13-102
- 10) No. 106-13-070
- 11) No. 106-13-069
- 12) No. 106-13-067

Sponsors: Council President Connally and Councilmembers Jones, Miller, Brady, Gallagher, Greenspan and Germana, **Conwell, Rogers**

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Schron with second by Mr. Miller, Resolution No. R2012-0122 was considered and adopted by unanimous vote.

11. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- a) R2012-0131: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article 2, Section 2.03 and Article 3, Section 3.09 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Schron, Miller, Brady, **Germana, Conwell, Connally and Jones**

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2012-0131 was considered and adopted by majority vote, with Mr. Rogers casting a dissenting vote.

12. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FOURTH READING ADOPTION

- a) R2012-0101: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 11, Sections 1 and 3 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2012-0101 was considered and adopted by majority vote, with Mr. Rogers casting a dissenting vote.

13. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FOURTH READING ADOPTION

- a) O2012-0005: An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered; and establishing exceptions.

Sponsors: Councilmembers Connally, Rogers, Miller, Jones, Brady and Conwell

Committee Assignment and Chair: Committee of the Whole – Connally

On a motion by Mr. Rogers with second by Ms. Conwell, Ordinance No. O2012-0005 was considered and adopted by a majority vote of 8 yeas and 3 nays with Councilmembers Simon, Miller, Brady, Germana, Conwell, Jones, Rogers and Connally voting in the affirmative and Councilmembers Greenspan, Gallagher and Schron casting dissenting votes.

14. CONSIDERATION OF RESOLUTIONS 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 to place on final passage Resolution Nos. R2012-0168, R2012-0169, R2012-0170, R2012-0171 and R2012-0172.

- a) R2012-0168: 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

Mr. Miller introduced a proposed substitute to Resolution No. R2012-0168. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute to Resolution No. R2012-0168.

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0168 was considered and adopted by unanimous vote, as substituted.

- b) R2012-0169: A Resolution fixing sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24 and for the City of Pepper Pike, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2012-0169 was considered and adopted by unanimous vote.

- c) R2012-0170: A Resolution approving and confirming the 2013 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24 and for the City of Pepper Pike, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Rogers with a second by Mr. Germana, Resolution No. R2012-0170 was considered and adopted by unanimous vote.

- d) R2012-0171: A Resolution amending Resolution No. R2012-0037 which authorized an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 800 Superior, NMTC Investment Fund II, LLC for renovation of property located at 800 Superior Avenue, Cleveland, to change the terms of job creation commencement from "project completion" to 1/10/2012 and to change the term in which the created jobs must be maintained from five years to ten years, authorizing the County Executive and/or Director of Development 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

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2012-0171 was considered and adopted by majority vote, with Councilmember German recusing himself from the vote.

- e) R2012-0172: A Resolution authorizing a revenue generating agreement with Village of North Randall for maintenance of storm and sanitary sewerage systems located in County Sewer District No. 5, 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 Public Works/
Division of County Engineer **and Council President Connally**

On a motion by Mr. Germana with a second by Mr. Jones, Resolution No. R2012-0172 was considered and adopted by unanimous vote.

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

- a) R2012-0173: A Resolution making an award on RQ24294 to Terrace Construction Company, Inc. in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

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

Council President Connally referred Resolution No. R2012-0173 to the Public Works, Procurement & Contracting Committee.

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

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2012-0174 to the Economic Development & Planning Committee.

- c) R2012-0175: A Resolution making awards on RQ23133 to various providers for Universal Pre-Kindergarten services for the period 8/1/2012 - 7/31/2013, 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) Achievement Centers for Children in the amount not-to-exceed \$31,761.00.
 - 2) Ganon Gil Preschool of the Temple Tifereth Israel, Inc. in the amount not-to-exceed \$46,407.00.
 - 3) Hanna Perkins School in the amount not-to-exceed \$36,433.00.
 - 4) Cassandra Rene Thompson in the amount not-to-exceed \$28,752.00
 - 5) Ericka L. Elmore in the amount not-to-exceed \$20,045.00
 - 6) Positive Beginnings Childcare & Preschool in the amount not-to-exceed \$10,563.00.
 - 7) Yolanda Casas-Knight in the amount not-to-exceed \$37,360.00.
 - 8) Catholic Charities Community Services Corporation - Riverside Head Start in the amount not-to-exceed \$6,473.60.
 - 9) Catholic Charities Community Services Corporation - St. Martin de Porres Head Start in the amount not-to-exceed \$6,473.60.
 - 10) Catholic Charities Community Services Corporation - St. Philip Neri Head Start in the amount not-to-exceed \$181,824.00.
 - 11) Center for Families and Children - Bingham Early Learning Center in the amount not-to-exceed \$114,598.00.
 - 12) Center for Families and Children - Mather Early Learning Center in the amount not-to-exceed \$114,485.00.
 - 13) Center for Families and Children - McMillan Early Learning Center in the amount not-to-exceed \$191,083.00.
 - 14) Center for Families and Children - Wade Early Learning Center in the amount not-to-exceed \$198,300.00.
 - 15) Early Childhood Enrichment Center, Inc. in the amount not-to-exceed \$164,664.00.
 - 16) Lakewood Beginnings Child Development Center, Inc. in the amount not-to-exceed \$95,070.00.
 - 17) Kiddie City Child Care Community, Inc. in the amount not-to-exceed \$175,530.00.
 - 18) Parma Pre-School, Inc. in the amount not-to-exceed \$171,785.00.
 - 19) Guidestone - Family Life Child Care Center of Berea in the amount not-to-exceed \$250,084.00.
 - 20) Guidestone - Family Life Child Care Center of Brook Park in the amount not-to-exceed \$122,344.00.
 - 21) Guidestone - Family Life Child Care Center of Lakewood in the amount not-to-exceed \$123,232.00.
 - 22) Guidestone - Family Life Child Care Center of Maple Heights in the amount not-to-exceed \$73,886.00.

- 23) Guidestone - Family Life Child Care Center of Middleburg Heights in the amount not-to-exceed \$100,718.00.
- 24) The Cleveland Music School Settlement in the amount not-to-exceed \$68,224.00.
- 25) The East End Neighborhood House Association in the amount not-to-exceed \$128,893.00.
- 26) The Merrick House in the amount not-to-exceed \$100,415.00.
- 27) The Young Women's Christian Association of Greater Cleveland, Ohio in the amount not-to-exceed \$165,679.00.
- 28) West Side Ecumenical Ministry - Archwood Health Start in the amount not-to-exceed \$98,341.00.
- 29) West Side Ecumenical Ministry - Gilbert Head Start in the amount not-to-exceed \$67,344.00.
- 30) West Side Ecumenical Ministry - Youth & Family Learning Center in the amount not-to-exceed \$97,545.00.

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

Council President Connally referred Resolution No. R2012-0175 to the Health, Human Services & Aging Committee.

- d) R2012-0176: A Resolution authorizing various contracts with The Salvation Army of Greater Cleveland in connection with the FY2011 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act, authorizing the County Executive to execute the contracts and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - 1) PASS Supportive Housing Program in the amount not-to-exceed \$265,549.00 for the period 8/1/2012 - 7/31/2013.
 - 2) PASS Transitional Housing Program in the amount not-to-exceed \$527,499.00 for the period 10/1/2012 - 9/30/2013.

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

Council President Connally referred Resolution No. R2012-0176 to the Health, Human Services & Aging Committee.

- e) R2012-0177: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,464,552.00 for the Shelter Plus Care Tenant-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act

for the period 8/1/2012 - 7/31/2013, 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 Health and Human Services/Division of Community Initiatives/Office of Homeless Services

Council President Connally referred Resolution No. R2012-0177 to the Health, Human Services & Aging Committee.

- f) R2012-0178: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 6/30/2012 to extend the time period to 12/31/2013 and for additional funds, authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) No. CE1100613-01 with New Directions, Inc. in the amount not-to-exceed \$216,000.00.
 - 2) No. CE1100626-01 with Pressley Ridge in the amount not-to-exceed \$2,866,572.00.

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

Council President Connally referred Resolution No. R2012-0178 to the Health, Human Services & Aging Committee.

16. 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. R2012-0148, R2012-0152, R2012-0153, R2012-0157, R2012-0158, R2012-0159, R2012-0160, R2012-0161, R2012-0162, R2012-0163, R2012-0165, R2012-0166 and R2012-0167.

- a) R2012-0148: A Resolution authorizing an agreement with Village of Highland Hills for participation in the Cuyahoga County Benefits Regionalization Program for the period 7/1/2012 - 12/31/2013, 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 Councilmember Germana

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

**On a motion by Mr. Schron with second by Ms. Conwell, Resolution No. R2012-0148
was considered and adopted by unanimous vote.**

- b) R2012-0152: A Resolution making an award on RQ23336 to Employee Benefits International, Inc. in the amount not-to-exceed \$1,005,606.45 for general consulting services and SBE services for Cuyahoga County employee health care benefits, including wellness care, dental and vision, deferred compensation, life insurance and employee education for the period 8/1/2012 - 7/31/2015, 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 Human Resources

Committee Assignment and Chair: Finance & Budgeting – Miller

**On a motion by Mr. Miller with second by Ms. Conwell, Resolution No. R2012-0152
was considered and adopted by unanimous vote.**

- c) R2012-0153: 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

Committee Assignment and Chair: Finance & Budgeting – Miller

**On a motion by Mr. Miller with second by Ms. Conwell, Resolution No. R2012-0153
was considered and adopted by unanimous vote.**

- d) R2012-0157: A Resolution authorizing the appropriation of real property for the reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn; directing the County Executive to proceed with the acquisition of real property required for public highway

purposes; authorizing the Fiscal Officer to issue the monetary warrants to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel 6-SH, standard highway (permanent) easement over 173 sq. ft. to construct a public sidewalk and install traffic signal box
Owner: Northcliff I-480 LLC, an Ohio Limited liability Company
Fair Market Value Estimate: \$18,970.00
- 2) Parcels 8-SH standard highway (permanent) easement over 81 sq. ft. to construct a public sidewalk and replace a private walk, and T1 and T2, temporary easements over 30 sq. ft. and 29 sq. ft., respectively, to construct a public sidewalk and replace a private walk
Owner: Ava L. Woody and unknown spouse, if any
Fair Market Value Estimate: \$420.00
- 3) Parcel 13-SH, a standard highway (permanent) easement over 129 sq. ft. to construct a public sidewalk
Owner: Ridge Park Square LLC, an Ohio Limited Liability Company
Fair Market Value Estimate: \$22,300.00
- 4) Parcel Nos.: 22-T1 and T2, temporary easements over 120 and 45 sq. ft., respectively, both of which easements are to replace private driveways
Owner: McDonald's USA, LLC, a Delaware Limited Liability Company
Fair Market Value Estimate: \$ 300.00
- 5) Parcel No.: 36-SH, a standard highway (permanent) easement over 114 sq. ft. to install ADA curb ramps and reconstruct the public sidewalk with a reconfigured turn radius
Owners: Wladmimir Kolomizew a/k/a Walter Kolomizew, and, Anna Kolomizew (deceased, widow), and Anna Kolomizew, spouse of Wladmimir
Fair Market Value Estimate: \$ 430.00
- 6) Parcel No.: 101-SH, a standard highway (permanent) easement over 27 sq. ft. to install ADA curb ramps and reconstruct the public sidewalk with a reconfigured turn radius
Owner: D-Xtramile, LLC, an Ohio Limited Liability Company
Fair Market Value Estimate: \$300.00, and

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer and Councilmember Germana

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

On a motion by Mr. Germana with second by Mr. Miller, Resolution No. R2012-0157 was considered and adopted by unanimous vote.

- e) R2012-0158: A Resolution authorizing the Department of Public Works to submit a loan application to the Ohio Environmental Protection Agency Water Pollution Control Loan Fund for a loan in the amount of \$350,000.00 for a new sanitary sewer structure to provide sanitary sewer services in the City of Parma on Broadview Road between Brookdale Avenue and Broadrock Court for the period 3/15/2013 - 9/15/2013; authorizing the County Executive to accept the loan if the loan application is approved; and authorizing the County Executive to execute all documents required in connection with said loan application.

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer and Councilmember Germana

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

On a motion by Mr. Germana with second by Mr. Jones, Resolution No. R2012-0158 was considered and adopted by unanimous vote.

- f) R2012-0159: A Resolution authorizing the Department of Public Works to submit a loan application to the Ohio Environmental Protection Agency Water Pollution Control Loan Fund for a forgivable loan in the amount of \$154,000.00 for repair and replacement of household sewage treatment systems for the period 9/15/2012 - 9/15/2013; authorizing the County Executive to accept the loan if the loan application is approved; and authorizing the County Executive to execute all documents required in connection with said loan application.

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 second by Mr. Germana, Resolution No. R2012-0159 was considered and adopted by unanimous vote.

- g) R2012-0160: A Resolution authorizing a payment to Cleveland Public Power in the amount not-to-exceed \$2,190,984.28 for utility relocation

work awarded on RQ24294, in connection with the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer Councilmember Conwell

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

On a motion by Mr. Jones with second by Mr. Miller, Resolution No. R2012-0160 was considered and adopted by unanimous vote.

- h) R2012-0161: A Resolution making an award on RQ23057 to Independence Excavating, Inc. in the amount not-to-exceed \$3,465,525.85 for the Cuyahoga Area of Concern Urban Riparian Habitat Restoration project in the City of Cleveland; 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 Conwell, Germana,
Miller, Jones, Rogers **and Simon**

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

On a motion by Mr. Germana with second by Mr. Jones, Resolution No. R2012-0161 was considered and adopted by unanimous vote.

- i) R2012-0162: A Resolution making awards to various municipalities, in the total amount of \$1,492,641.88, for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013; authorizing the County Executive to enter into agreements consistent with said awards and this Resolution, and declaring the necessity that this Resolution become immediately effective:

- 1) City of Maple Heights for the Infrastructure Improvement Project in the amount not-to-exceed \$350,000.00.
- 2) Village of Newburgh Heights for the East 53rd Street Storm/Sanitary Sewer Separation Project in the amount not-to-exceed \$350,000.00.
- 3) Village of Glenwillow for the Richmond-Pettibone Road Intersection Improvement in the amount not-to-exceed \$150,000.00.

- 4) City of Garfield Heights for the McCracken Road Multi-Purpose Trail in the amount not-to-exceed \$150,000.00.
- 5) City of Brooklyn for the Natatorium ADA Splash Pad in the amount not-to-exceed \$150,000.00.
- 6) Village of Cuyahoga Heights for Bacci Park ADA Compliant Restrooms in the amount not-to-exceed \$150,000.00.
- 7) City of Parma Heights for the Big Creek Metroparks Connector Trail in the amount not-to-exceed \$150,000.00.
- 8) City of Berea for the Sidewalk Repair Project in the amount not-to-exceed \$42,641.88.

Sponsors: County Executive FitzGerald/Department of Development and Councilmembers Germana and Jones

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

On a motion by Mr. Rogers with a second by Mr. Germana, Resolution No. R2012-0162 was considered and adopted by unanimous vote.

- j) R2012-0163: A Resolution supporting submission of applications on behalf of Cuyahoga County for third-round funding under the Local Government Innovation Fund available through the State of Ohio, Department of Development; authorizing the County Executive and Department Directors to take all steps necessary in furtherance of this goal, including, entering into partnership initiatives/memoranda of understanding with any other potential partners; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2012-0163 was considered and adopted by unanimous vote.

- k) R2012-0165: A Resolution authorizing an amendment to Contract No. CE1100151-02 with Guidestone, fka Berea Children's Home, for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2012 to extend the time period to 6/30/2013 and for additional funds in the amount not-to-exceed \$1,253,828.80, 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 on behalf of Juvenile Court

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Ms. Simon with a second by Mr. Rogers, Resolution No. R2012-0165 was considered and adopted by unanimous vote.

- l) R2012-0166: A Resolution making awards on RQ23154 to various providers for Defending Childhood Treatment services for the period 7/18/2012 - 9/30/2013, authorizing the County Executive to execute the contracts, agreement and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) Applewood Centers, Inc. in the amount not-to-exceed \$210,000.00.
 - 2) Beech Brook in the amount not-to-exceed \$210,000.00.
 - 3) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$145,000.00.
 - 4) Catholic Charities Services Corporation in the amount not-to-exceed \$70,000.00.
 - 5) The Cleveland Christian Home, Incorporated in the amount not-to-exceed \$60,000.00.
 - 6) Mental Health Services for Homeless Persons, Inc. in the amount not-to-exceed \$25,000.00.
 - 7) Cuyahoga County Division of Children and Family in the amount not-to-exceed \$80,000.00.

Sponsor: County Executive FitzGerald/Department of Public Safety and Justice Services/Witness/Victim Service Center

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Ms. Simon with a second by Mr. Rogers, Resolution No. R2012-0166 was considered and adopted by unanimous vote.

- m) R2012-0167: A Resolution making an award on RQ23815 to URS Corporation in the amount not-to-exceed \$1,998,827.00 for professional architectural/engineering services relating to the County's Real Estate Portfolio Consolidation 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Capital Improvements & Facilities Ad Hoc – Connally

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2012-0167 was considered and adopted by unanimous vote.

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

- a) O2012-0026: An Ordinance establishing the Cuyahoga County Debarment Law, Procedures and Review Board; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald

Council President Connally referred Ordinance No. O2012-0026 to the Public Works, Procurement & Contracting Committee.

18. CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- a) O2012-0019: An Ordinance amending Ordinance No. O2011-0039, as amended, which established procedures governing the use by the County of alternate construction project delivery methods, including construction manager-at-risk, design-build and general contracting project delivery methods for public construction projects; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works **and Councilmembers Miller, Germana, Schron, Rogers, Gallagher and Jones.**

On a motion by Mr. Schron with a second by Mr. Miller, Ordinance No. O2012-0019 was considered and adopted by unanimous vote.

19. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, September 17, 2012 at 1:00 p.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, August 30, 2012 at 1:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Thursday, August 30, 2012 10:00 a.m. and on Thursday, September 20, 2012 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, August 30, 2012 at 11:00 a.m.

20. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

21. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

22. ADJOURNMENT

With no further business, Council President Connally adjourned the meeting at 6:25 p.m., without objection