



AGENDA
CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, JULY 9, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE JUNE 25, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2013-0131: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; 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.
 - b) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.

6. DISCUSSION

- a) 9-1-1 Dispatch Centers and PSAP Consolidation

7. MISCELLANEOUS BUSINESS

8. OTHER PUBLIC COMMENT

9. ADJOURNMENT

*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

**CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, JUNE 25, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:03 p.m.

2. ROLL CALL

Mr. Gallagher asked Assistant Deputy Clerk Carter to call the roll. Committee members Gallagher, Greenspan, Germana, Conwell and Rogers were in attendance and a quorum was determined. Councilmember Miller was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE JUNE 4, 2013 MEETING

A motion was made by Mr. Germana, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the May 28, 2013 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) **O2013-0015**: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.

Mr. Clifford Pinkney, Chief Deputy, and Mr. Ed Morales, Assistant Law Director, addressed the Committee regarding Ordinance No. O2013-0015. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Pinkney and Mr. Morales pertaining to the item, which they answered accordingly.

Mr. Gallagher introduced a proposed substitute to Ordinance No. O2013-0015.

A motion was then made by Mr. Germana, seconded by Ms. Conwell and approved by unanimous vote to accept the proposed substitute.

No further legislative action was taken on Ordinance No. O2013-0015.

6. DISCUSSION

a) PSAP Consolidation

Ms. Vallerie Propper, Special Assistant to County Executive Fitzgerald; Ms. Brandy Carney, Program Manager; and Mr. Bruce Campbell, Safety Director for the City of North Royalton, addressed the Committee regarding the PSAP Consolidation project. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Propper, Ms. Carney and Mr. Campbell pertaining to the item, which they answered accordingly.

b) Cuyahoga County 9-1-1 Consolidation Shared Services Fund and Review Committee

Ms. Propper and Ms. Carney addressed the Committee regarding the 9-1-1 Consolidation Shared Services Fund and Review Committee. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Propper and Ms. Carney pertaining to the items, which they answered accordingly.

c) Consolidation of the City of Euclid Jail

Ms. Propper addressed the Committee regarding creating regional jails throughout Cuyahoga County and consolidating the City of Euclid and City of Cleveland jails. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Propper pertaining to the items, which she answered accordingly.

7. MISCELLANEOUS BUSINESS

Mr. Pinkney addressed the Committee regarding the evacuation of the Justice Center that occurred on Monday, June 24, 2013. Discussion ensued.

Mr. Gallagher announced that the next Public Safety & Justice Affairs Committee meeting will take place on Tuesday, July 9, 2013 at 1:00 p.m.

8. OTHER PUBLIC COMMENT

No public comments were given.

9. ADJOURNMENT

With no further business to discuss, Chairman Gallagher adjourned the meeting at 1:57 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0131

<p>Sponsored by: County Executive FitzGerald on behalf of Juvenile Court</p>	<p>A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; 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.</p>
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WHEREAS, the County Executive/Juvenile Court has recommended an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; and,

WHEREAS, this project is funded 100% from the RECLAIM Ohio Grant Funds; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council authorizes an amendment with to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20.

SECTION 2. That the County Executive is authorized to execute an amendment and all documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health,

or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: June 25, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20____

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0015

Sponsored by: County Executive FitzGerald/County Sheriff and Director of Law	An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article V, Section 5.08 of the Cuyahoga County Charter provides that "all powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff;" and,

WHEREAS, O.R.C. § 311.07(A) provides that the general powers and duties of a county sheriff include, among others, the duty to preserve the public peace, and to execute warrants, writs and other process directed to the sheriff by any lawful and proper authorities of this state and of other states; and,

WHEREAS, O.R.C. § 341.01 provides that the county sheriff shall have charge of the county jail and all persons confined therein; and,

WHEREAS, Article III, Section 3.09(2) of the Cuyahoga County Charter provides Council with the power "to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County;" and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County Sheriff.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Section 202.07 of the Cuyahoga County Code is hereby enacted as follows:

Section 202.07: Sheriff's Department

A. The Sheriff's Department is hereby established, and it shall be its own appointing authority pursuant to the relevant provisions of the Cuyahoga County Charter.

B. The Sheriff's Department shall be under the direction of the County Sheriff. The Sheriff's Department and its employees shall aid and assist the County Sheriff in carrying out the powers, duties, and responsibilities that are assigned to the Sheriff by the general law, the County Charter, and by County law. With the approval of the County Executive, the Sheriff shall employ and supervise such number of deputies, assistants, and employees as are reasonably necessary to carry out the Department's functions. All employees assigned to the County Sheriff are hereby assigned to the Sheriff's Department. Nothing in the Cuyahoga County Code is intended to limit the ability of the County Executive and the County Sheriff to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law or County law.

C. The Sheriff's Department shall include, but is not limited to, the following divisions:

1. Division of Civil Court Orders whose responsibility shall be to carry out court orders.
2. Division of Corrections whose responsibility shall be the administration and operation of the Cuyahoga County Corrections Center;
3. Division of Law Enforcement whose responsibility shall be the law enforcement duties of county sheriffs.
4. Division of Protective Services whose responsibility shall be the provision of security services for county offices and buildings where the County Sheriff determines that such services should be provided using County personnel. Protective Services Officers shall be considered County security personnel who are not law enforcement officers. The Sheriff shall determine the training necessary for the certification of Protective Services Officers. Such training shall, at a minimum, include satisfactory completion of programs that have been approved by the Ohio Peace Officer Training Commission designed to qualify persons for positions as security guards.

D. Authority to Carry Weapons:

1. Employees of the Sheriff's Department who are authorized to carry weapons pursuant to general law shall comply with all state and federal laws governing certification and re-certification necessary to carry weapons.
2. Where general law does not govern the certification and re-certification of employees to carry weapons, the following provisions shall apply:

- a. The Sheriff may issue firearms, other intermediate weapons (e.g., pepper spray), and/or hard controls (e.g., handcuffs) to any employees in the Sheriff’s Department who are specifically pre-authorized by the Sheriff and are designated in the Department’s written policies and procedures. The Sheriff shall have the power to commission employees in the Sheriff’s Department to carry firearms if the employee has successfully completed the firearms training and requalification programs that are required by law for Deputy Sheriffs. The Sheriff may permit employees to carry intermediate weapons and hard controls if the employee has successfully completed required training as determined by the Sheriff.
3. The Sheriff shall ensure that the Department’s continuum of force policy applies to all employees who carry weapons. All employees who carry weapons shall properly secure firearms or other weapons, while on duty and off as required by the Sheriff.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: June 11, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20__