



AGENDA

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, NOVEMBER 27, 2012
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

- a) November 13, 2012
- b) November 14, 2012

5. ITEMS REFERRED TO COMMITTEE

- a) O2011-0053: An Ordinance establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs.
- b) R2012-0232: A Resolution adopting the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013, and declaring the necessity that this Resolution become immediately effective.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. 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 COMMITTEE OF THE WHOLE MEETING
TUESDAY, NOVEMBER 13, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:00 PM**

1. CALL TO ORDER

At the request of Council President Connally, the meeting was called to order by Councilmember Miller, Chair of the Finance & Budgeting Committee, at 3:09 p.m.

2. ROLL CALL

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

A motion was then made by Ms. Connally, seconded by Mr. Miller and approved by unanimous vote to excuse Mr. Schron from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. 2013 ANNUAL BUDGET UPDATE

- a) Office of the Fiscal Officer – Presentation (Wade Steen and Matt Rubino):
 - 1) Financial overview of 2012 and 2013
 - 2) Summary of proposed budget changes (2012 year-end and 2013 decrease and additional appropriations for departments)

Mr. Wade Steen, Fiscal Officer, and Mr. Matt Rubino, Director of the Office of Budget & Management, addressed the Committee regarding the financial overview of 2012 and 2013 and provided a summary of proposed budget changes for various departments. Discussion ensued.

Councilmembers asked questions of Mr. Steen and Mr. Rubino pertaining to the items, which they answered accordingly.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. OTHER PUBLIC COMMENT

No public comments were given.

7. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Brady with a second by Mr. Greenspan, the meeting was adjourned at 4:30 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, NOVEMBER 14, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
9:00 AM**

1. CALL TO ORDER

At the request of Council President Connally, the meeting was called to order by Councilmember Miller, Chair of the Finance & Budgeting Committee, at 9:13 a.m.

2. ROLL CALL

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

A motion was then made by Ms. Connally, seconded by Mr. Greenspan and approved by unanimous vote to excuse Mr. Schron from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

Ms. Jill Rizika, representing Towards Employment, addressed the Committee regarding issues of concern to her relating to funding of re-entry programming.

4. 2013 ANNUAL BUDGET UPDATE

a) 9:00 AM – 12:00 PM

Mr. Rick Werner, Director of the Department of Health and Human Services, provided the Committee with an overview of the Health and Human Services budget. Discussion ensued.

Councilmembers asked questions of Mr. Werner pertaining to the item, which he answered accordingly.

- 1) Division of Children and Family Services (Patricia Rideout) – Focus on the 2013 budget and staffing levels

Dr. Patricia Rideout, Administrator for the Division of Children and Family Services, addressed the Committee regarding the 2013 budget and staffing levels for the Division. Discussion ensued.

Councilmembers asked questions of Dr. Rideout pertaining to the item, which she answered accordingly.

- 2) Cuyahoga Job and Family Services (Joe Gaunter or Rick Werner) – Focus on the 2013 budget and staffing levels

Mr. Joseph Gauntner, Administrator for Cuyahoga Job and Family Services, addressed the Committee regarding the 2013 budget and staffing levels for Cuyahoga Job and Family Services. Discussion ensued.

Councilmembers asked questions of Mr. Gauntner pertaining to the item, which he answered accordingly.

- 3) Division of Senior and Adult Services (Tracey Mason) – Focus on the 2013 budget and staffing levels

Ms. Tracey Mason, Administrator of the Division of Senior and Adult Services, addressed the Committee regarding the 2013 budget and staffing levels for the Division. Discussion ensued.

Councilmembers asked questions of Ms. Mason pertaining to the item, which she answered accordingly.

- 4) Office of Early Childhood/Invest in Children (Rebekah Dorman) – Focus on additional funding provided in the 2012/2013 budget and State budget cuts

Dr. Rebekah Dorman, Program Director of the Office of Early Childhood, addressed the Committee regarding additional funding provided in the 2012/2013 budget and State budget cuts for the Office and the Invest in Children Program. Discussion ensued.

Councilmembers asked questions of Dr. Dorman pertaining to the item, which she answered accordingly.

- 5) Office of Re-entry (Luis Vazquez) – Focus on additional funding provided in the 2012/2013 budget

Mr. Luis Vazquez, Program Director of the Office of Re-entry, addressed the Committee regarding additional funding provided in the 2012/2013 budget for the Office. Discussion ensued.

Councilmembers asked questions of Mr. Vazquez pertaining to the item, which he answered accordingly.

A brief recess was then taken by the Committee, after which Chairman Miller reconvened the meeting.

- 6) The MetroHealth System (Mark Moran) – Presentation of the 2013 budget

Mr. Mark Moran, President and Chief Executive Officer of The MetroHealth System, addressed the Committee regarding the 2013 budget for The MetroHealth System. Discussion ensued.

Councilmembers asked questions of Mr. Moran pertaining to the item, which he answered accordingly. Councilmembers also thanked Mr. Moran for his service to The MetroHealth System and wished him well.

- 7) Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (Bill Denihan) – Focus on the 2013 budget

Mr. William Denihan, Executive Director of the Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County, addressed the Committee regarding the 2013 budget for the Board. Discussion ensued.

Councilmembers asked questions of Mr. Denihan pertaining to the item, which he answered accordingly.

Chairman Miller then recessed the meeting for lunch at 12:08 p.m.

- b) 1:00 PM – 5:00 PM

Chairman Miller reconvened the meeting at 1:15 p.m.

- 1) Office of the Fiscal Officer (Wade Steen) – Focus on the 2013 Budget and the Reappraisal Process

Mr. Wade Steen, Fiscal Officer, addressed the Committee regarding the 2013 budget for the Fiscal Office and the reappraisal process. Discussion ensued.

Councilmembers asked questions of Mr. Steen pertaining to the item, which he answered accordingly.

- 2) Department of Communications (Nicole Dailey Jones) – Focus on the creation of a new Communications Department and any changes to the 2013 budget

Ms. Nicole Dailey Jones, Director of Communications, addressed the Committee regarding the creation of the new Department of Communications and associated changes to the 2013 budget. Discussion ensued.

Councilmembers asked questions of Ms. Jones pertaining to the item, which she answered accordingly.

- 3) Department of Law (Majeed Makhlof) – Focus on changes to the 2013 budget

Mr. Majeed Makhlof, Director of Law, addressed the Committee regarding the 2013 budget for the Department. Discussion ensued.

Councilmembers asked questions of Mr. Makhlof pertaining to the item, which he answered accordingly.

- 4) Office of the Sheriff (Bob Reid) – Focus on overtime expenses and provide an update on the progress of taking over the City Jail

Sheriff Bob Reid addressed the Committee regarding overtime expenses for the Office of the Sheriff and provided an update on the progress of taking over of the City Jail. Discussion ensued.

Councilmembers asked questions of Sheriff Reid pertaining to the item, which he answered accordingly.

- 5) Office of the Clerk of Courts (Gerald Fuerst) – Focus on providing an update on the Collection of Court Costs

In the absence of Mr. Gerald Fuerst, Mr. Keith Hurley, Chief Deputy for the Office of the Clerk of Courts, provided the Committee with an update on the collection of court costs. Discussion ensued.

Councilmembers asked questions of Mr. Hurley pertaining to the item, which he answered accordingly.

A brief recess was then taken by the Committee, after which Chairman Miller reconvened the meeting.

- 6) Department of Public Works (Bonnie Teeuwen) – Focus on Capital Budget for building maintenance and any changes to the property consolidation

Ms. Bonnie Teeuwen, Director of Public Works, addressed the Committee regarding the capital budget for building maintenance and any changes to the consolidation of property. Discussion ensued.

Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

- 7) Department of Information Technology (Jeff Mowry or Michael Young) – Focus on IT plans for 2013 and changes to the 2013 budget

Mr. Michael Young, Chief Technology Officer, addressed the Committee regarding IT plans for 2013 and changes to the 2013 budget for the Department of Information Technology. Discussion ensued.

Councilmembers asked questions of Mr. Young pertaining to the item, which he answered accordingly.

- 8) Department of Development (Larry Benders) – Focus on an update of the progress on Economic Development and the plans for development in 2013

Mr. Larry Benders, Director of the Department Development, provided an update of the progress on economic development and plans for development in 2013. Discussion ensued.

Councilmembers asked questions of Mr. Benders pertaining to the item, which he answered accordingly.

- 9) Office of the Medical Examiner (Dr. Gilson) – Focus on an update and progress on the Crime Lab

In the absence of Dr. Thomas Gilson, Mr. Hugh Shannon, Program Officer Manager for the Office of the Medical Examiner, provided an update of the Office and reported on progress on the Crime Lab. Discussion ensued.

Councilmembers asked questions of Mr. Shannon pertaining to the item, which he answered accordingly.

- 10) Department of Internal Auditing (Valerie Harry) – Introduction to Council and needs for 2013

Ms. Valerie Harry, Internal Auditor, addressed the Committee regarding 2013 budgetary needs for the Department of Internal Auditing. Discussion ensued.

Councilmembers asked questions of Ms. Harry pertaining to the item, which she answered accordingly.

- 11) Office of the Prosecuting Attorney (Tim McGinty) – Introduction to Council and needs for 2013

Mr. Tim McGinty, County Prosecutor, addressed the Committee regarding 2013 budgetary needs for the Office of the Prosecutor. Discussion ensued.

Councilmembers asked questions of Mr. McGinty pertaining to the item, which he answered accordingly.

5. MISCELLANEOUS BUSINESS

Mr. Miller clarified the remainder of the budget process. He requested any budget proposals by Councilmembers be sent to him by close of business on Monday, November 19th. He also stated that the Committee of the Whole meeting scheduled for Friday, November 16th has been cancelled.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, December 6, 2012 at 11:00 a.m.

6. OTHER PUBLIC COMMENT

No public comments were given.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Chairman Miller at 4:51 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0053

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| Sponsored by: Councilmembers Brady, Gallagher, Miller, Connally, Germana, Rogers and Jones and County Executive FitzGerald | An Ordinance establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs. |
|---|---|

WHEREAS, Section 3.09(2) of the Charter of Cuyahoga County grants Council 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 the Charter, as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, Section 7.01 of the Charter of Cuyahoga County declares that the County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents; and,

WHEREAS, Section 5.02 of the Charter of Cuyahoga County declares that “[t]he Fiscal Officer shall exercise all powers and perform all duties now or hereafter vested in or imposed by general law upon county auditors;” and,

WHEREAS, Section 319.55 of the Ohio Revised Code states that the County Auditor “shall see that all state laws relating to weights and measures are strictly enforced throughout his county, and shall assist generally in the prosecution of all violations of such laws;” and,

WHEREAS, Sections 1327.50 and 1327.52 of the Ohio Revised Code together declare that “[a]ny weights and measures official elected or appointed for a county” shall determine whether packaged commodities are “sold in accordance with sections 1327.46 to 1327.61 of the Revised Code or rules adopted under those sections;” and,

WHEREAS, Sections 1327.53 and 1327.54 of the Ohio Revised Code prohibit deceptive selling or buying practices and the misrepresentation of the price of a commodity or service; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Consumer Affairs is necessary for the economic well-being and prosperity of the residents of Cuyahoga County; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Consumer Affairs and placing Weights and Measures operation in the Department of Consumer Affairs is necessary for the efficient administration of the County; and,

WHEREAS, Section 3.09(5) of the Charter of Cuyahoga County grants Council the power to adopt and amend the County's annual tax budget, operating budget and capital improvements program to make appropriations for the County.

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

SECTION 1. The Cuyahoga County Department of Consumer Affairs

- (a) There is hereby established the Department of Consumer Affairs for Cuyahoga County under the supervision of the County Executive and the Fiscal Officer.
- (b) The official title of the department established in this section shall be the "Cuyahoga County Department of Consumer Affairs."
- (c) For convenience, the Cuyahoga County Department of Consumer Affairs may also be referred to as the County's "Department of Consumer Affairs" or "Consumer Affairs Department" in correspondence, legislation, or as is otherwise necessary or convenient.
- (d) The Department of Consumer Affairs shall consist of the following divisions:
 - (1) Weights and Measures, and (2) Consumer Protection.
- (e) The Department of Consumer Affairs shall have jurisdiction over all consumer transactions which take place within Cuyahoga County, regardless of the residence of any of the persons directly or indirectly affected by such transaction, unless prohibited by the Charter or general law.
- (f) The functions, employees, duties and responsibilities of the former Department of Weights and Measures are hereby incorporated into the Department of Consumer Affairs.
- (g) The duties and responsibilities of the Division of Consumer Protection shall include:
 - (1) Promoting consumer/financial literacy and asset building in Cuyahoga County;
 - (2) Investigating alleged violations of laws relating to Weights and Measures as provided by the Ohio Revised Code, and referring such violations to the

Cuyahoga County Prosecutor, Ohio Attorney General, or other agencies if appropriate.

(3) Educating consumers and businesses about laws related to consumer protection;

(4) Mediating disputes between consumers and businesses related to consumer protection complaints;

(5) Collaborating with businesses, non-profit organizations and government agencies on programs related to consumer affairs issues;

(6) Advising, when requested, the County Executive and the County Council on policies and programs related to consumer protection;

(7) Such other duties and responsibilities as provided by Ordinance of Cuyahoga County.

SECTION 2. The Director of Consumer Affairs

(a) There shall be a Director of Consumer Affairs who shall lead the Department of Consumer Affairs. The Director shall have thorough knowledge of county, state, and federal consumer protection laws; experience in the areas of consumer protection and education, the promotion of fair business practices, and the investigation, mediation and resolution of consumer complaints and issues; demonstrated knowledge, skills and abilities required in managing a division within a consumer affairs organization including directing budget, personnel, fiscal, supply and other administrative functions of an organization; and experience establishing collaborative relationships with business, non-profit and public entities for the purpose of addressing consumer protection issues.

(b) The Director of Consumer Affairs shall be responsible for fulfilling the duties of the Department of Consumer Affairs and is authorized to hire personnel in the Department of Consumer Affairs to aid and assist the Director in the proper discharge of his or her duties and powers, subject to the approval of the County Executive; consistency with the Human Resources policies and procedures of the County, the County Charter and general law; and budgetary constraints set by County Council and the County Executive.

SECTION 3. 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 Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 9, 2011
Committee(s) Assigned: Environment & Sustainability

Additional Sponsorship Requested on the Floor: November 9, 2011

Additional Sponsorship Requested: November 2, 2012

Additional Sponsorship Requested: November 8, 2012

Committee Report/Second Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0232

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| Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management | A Resolution adopting the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013, and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, Article 2, Section 3, Subsections 9 and 10 of the Cuyahoga County Charter directs the County Executive to submit to the Council prior to the beginning of each fiscal year, a proposed operating budget and a capital improvements program for the upcoming fiscal year; and

WHEREAS, Article 3, Section 9, Subsection 5 of the Cuyahoga County Charter gives County Council the power to adopt and amend the County's operating budget and capital improvements program and to make appropriations for the County; and

WHEREAS, County Council enacted Ordinance No. O2011-0036 on September 13, 2011, which established the procedure for a two-year budget, capital improvements and appropriations process with an annual update; and

WHEREAS, Ordinance No. O2011-0036 states that not later than at the first County Council meeting in November of each even-numbered year, the County Executive shall submit to Council an updated operating budget and capital improvements program for the fiscal year beginning January 1 of the year following the submission. The materials submitted shall include all information required by Article 2, Section 3, Subsections 9, 10, and 11 of the Cuyahoga County Charter; and

WHEREAS, Ordinance No. O2011-0036 also states that the County Council shall review, amend as needed, and adopt the annual update of the biennial operating budget and capital improvements program and make any necessary revisions to the appropriations for the upcoming fiscal year not later than December 15th of each even-numbered year; and

WHEREAS, County Council adopted the 2012/2013 Biennial Operating Budget and Capital Improvements Program by Resolution No. R2011-0291 on December 13, 2011; 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 County departments, offices and agencies.

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

SECTION 1. County Council hereby adopts the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013 as follows:

SECTION 2. County Council hereby authorizes the expenditure of Health and Human Services Levy Fund reserves in the amount of \$15,750,587.00, pursuant to Section 3(A) of Ordinance No. O2011-0058.

SECTION 3. That the Clerk of Council be, and she is, hereby instructed to transmit one certified copy of this Resolution to the County Budget Commission, the County Fiscal Officer, and the Director of the Office of Budget & Management.

SECTION 4. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 5. 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 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: November 13, 2012

Committee(s) Assigned: Committee of the Whole

Substituted on the Floor: November 13, 2012

Journal _____
_____, 2012