

AGENDA ACTIONS
CUYAHOGA COUNTY COUNCIL SPECIAL MEETING
TUESDAY, MARCH 1, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
4:30 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 4:30 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. SILENT MEDITATION

Council President Connally requested there be a moment of silent meditation.

4. ROLL CALL

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

On a motion by Mr. Gallagher with a second by Ms. Simon, the agenda was amended by changing the heading for Item No. 10 to read "Consideration of an Ordinance for first reading and referral to Committee" and by deleting ", and declaring the necessity that this Ordinance become immediately effective" from Ordinance No. O2011-0016. The motion was then considered and approved by unanimous vote.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given.

6. APPROVAL OF MINUTES

- a) February 22, 2011 Meeting

On a motion by Mr. Schron with a second by Mr. Gallagher, the minutes of the February 22, 2011 meeting were unanimously approved.

7. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive

No report was given by County Executive FitzGerald.

8. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Rogers, seconded by Mr. Miller and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Resolution No. R2011-0072.

- a) R2011-0072: A Resolution opposing the State of Ohio's plan to recapture and reallocate American Recovery and Reinvestment Act of 2009 Home Weatherization Assistance Program funds from the County of Cuyahoga and other similarly situated subgrantees; requesting the State of Ohio to reconsider and reverse its action; and urging all State Senators, State Representatives, Congressional Representatives and US Senators representing Cuyahoga County to oppose this action; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Rogers and County Executive FitzGerald

On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2011-0072 was considered and adopted by unanimous vote.

9. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Resolutions No. R2011-0073 and No. R2011-0074.

- a) R2011-0073: A Resolution authorizing the County Executive or his designee to enter into a temporary construction license agreement among Gateway Park, LLC, and Ferrous Realty Limited, an Ohio limited partnership, and City of Brooklyn for the purpose of modifying the Memphis Industrial Parkway for the period 2/28/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2011-0073 was considered and adopted by unanimous vote.

- b) R2011-0074: A Resolution authorizing the County Executive or his designee to grant a permanent easement and right-of-way to The Cleveland Electric Illuminating Company dba The Illuminating Company in the amount of \$1.00 to erect, construct, operate, maintain for transmission and distribution of electricity for public and private use poles, wires, equipment and appliances on and over County-owned property located at 10991 Memphis Avenue, Brooklyn, in connection with construction of the Memphis Industrial Parkway, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2011-0074 was considered and adopted by unanimous vote.

The agenda was previously amended to change the heading for Item No. 10 and to delete certain language from Ordinance No. O2011-0016.

10. CONSIDERATION OF AN ORDINANCE FOR FIRST READING ~~ADOPTION UNDER SUSPENSION OF RULES~~ **AND REFERRAL TO COMMITTEE**

- a) O2011-0016: An Ordinance authorizing the creation of a Law Department under the supervision of the Director of Law as provided for in Section 5.06 of the Charter of Cuyahoga County to serve as the legal advisor to and representative of the County Executive and County Council, ~~and declaring the necessity that this Ordinance become immediately effective.~~

Sponsor: County Executive FitzGerald

Council President Connally referred Ordinance No. O2011-0016 to the Justice Affairs Committee.

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

- a) R2011-0075: A Resolution authorizing the County Executive or his designee to enter into an agreement of cooperation with City of Cleveland Heights for rehabilitation of Taylor Road from Euclid Heights Boulevard to Cleveland Heights North Corporation Line.

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

Council President Connally referred Resolution No. R2011-0075 to the Public Works, Procurement & Contracting Committee.

- b) R2011-0076: A Resolution authorizing the County Executive or his designee to enter into an amendment (Subsidiary No. 1) to Contract No. CE1000315-01 with Perk Company, Inc. for rehabilitation of West 130th Street from Snow Road to Brookpark Road in the Cities of Brook Park and Parma for a decrease in the amount of (\$226,457.98).

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

Council President Connally referred Resolution No. R2011-0076 to the Public Works, Procurement & Contracting Committee.

- c) R2011-0077: A Resolution authorizing the County Executive or his designee to enter into an amendment (Subsidiary No. 1) to Contract No. CE1000334-01 with Burton Scot Contractors, LLC, for repair and resurfacing of Usher Road from Sprague Road to Bagley Road in the City of Olmsted Falls and Olmsted Township for a decrease in the amount of (\$20,941.27).

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

Council President Connally referred Resolution No. R2011-0077 to the Public Works, Procurement & Contracting Committee.

- d) R2011-0078: A Resolution authorizing the County Executive or his designee to prepare an amendment to Contract No. CE12377-01 with Glaus, Pyle, Schomer, Burns & DeHaven, Inc. dba GPD Associates for consultant engineering services for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale for additional funds in the amount of \$243,541.66.

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

Council President Connally referred Resolution No. R2011-0078 to the Public Works, Procurement & Contracting Committee.

- e) R2011-0079: A Resolution authorizing the County Executive or his designee to enter into an agreement for settlement of property rights in connection with repair of the Stumph Road Sewer Improvement, located in the City of Parma Heights, County Sewer District No. 1, in an amount equal to the approved appraisal fair market value estimate of

\$9,150.00 for Parcel Nos. 473-21-002S & 473-21-029S (Permanent Sanitary Sewer Easements), 6330 Pearl Road, Cleveland, Ohio 44130.

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

Council President Connally referred Resolution No. R2011-0079 to the Public Works, Procurement & Contracting Committee.

- f) R2011-0080: A Resolution authorizing the County Executive to grant Sewer Builder's Licenses for the Year 2011; authorizing the Director of Public Works or her designee to execute said licenses.

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

Council President Connally referred Resolution No. R2011-0080 to the Public Works, Procurement & Contracting Committee.

- g) R2011-0081: A Resolution authorizing the County Executive or his designee to enter into a revenue generating agreement with LifeBanc for lease of space at the County Coroner's Building, located at 11001 Cedar Avenue, Cleveland, for the period 12/1/2010 - 12/31/2013 for a fee to the County in the amount of \$27,600.00 per annum.

Sponsor: County Executive FitzGerald/Department of Public Works/Central Services

Council President Connally referred Resolution No. R2011-0081 to the Public Works, Procurement & Contracting Committee.

- h) R2011-0082: A Resolution approving a loan in the amount not-to-exceed \$1,000,000.00 to Blue Sky Campus, Inc. for a Brownfield Redevelopment Fund Project, located at 9501 Granger Road, Garfield Heights; authorizing the County Executive or his designee(s) to execute all documents required in connection with said loan.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2011-0082 to the Economic Development & Planning Committee.

- i) R2011-0083: A Resolution authorizing the County Executive or his designee to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$926,071.00 for administrative and fiscal agent services to expend funds provided

through the American Recovery and Reinvestment Act of 2009 for qualitative Help Me Grow Part C early intervention services to eligible families for the period 7/1/2010 - 6/30/2011.

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

Council President Connally referred Resolution No. R2011-0083 to the Health, Human Services & Aging Committee.

- j) R2011-0084: A Resolution authorizing the County Executive or his designee to enter into a contract with the Office of the Prosecuting Attorney of Cuyahoga County in the amount not-to-exceed \$2,264,000.00 for legal services for the period 1/1/2011 - 12/31/2011.

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

Council President Connally referred Resolution No. R2011-0084 to the Health, Human Services & Aging Committee.

12. MISCELLANEOUS COMMITTEE REPORTS

- a) Justice Affairs Committee: Presentation on Cuyahoga County Juvenile Justice Center Project.

The following Committee Chairs reported on various Committee activities:

Ms. Simon: Justice Affairs Committee

Mr. Gallagher: Public Safety Committee

Ms. Conwell: Human Resources, Appointments & Equity Committee

Mr. Greenspan: Rules, Charter Review, Ethics & Council Operations Committee

Mr. Miller: Finance & Budgeting Committee

Mr. Germana: Intergovernmental Relations & Collaboration Committee

13. MISCELLANEOUS BUSINESS

Mr. Brady requested that the administration schedule a presentation regarding 2012 property reappraisals for an upcoming Council work session.

14. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

15. ADJOURNMENT

With no further business to discuss and on a motion by Ms. Conwell with a second by Mr. Greenspan, the meeting was adjourned at 5:25 p.m., without objection.