



MINUTES

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
THURSDAY, NOVEMBER 7, 2013
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 9:08 a.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

Ms. Gloria Aron, representing Community Partners for Affordable Accessible Healthcare, addressed the Committee regarding issues of concern to her relating to funding for The MetroHealth System.

The following citizens addressed the Committee regarding issues of concern to them relating to Resolution No. R2013-0169, a Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building:

- a) Mr. William Merriman**
- b) Mr. Rick Foran and**
- c) Ms. Deborah Webb**

4. MATTERS REFERRED TO COMMITTEE / DISCUSSION:

Chairman Miller thanked the voters of Cuyahoga County for passing the Health and Human Services Levy and the Charter amendments on November 5, 2013 and provided an overview of the remaining schedule for the budget process.

- a) R2013-0229: A Resolution adopting the 2014/2015 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.

- 1) Budget Presentations:

- i) The MetroHealth System (Dr. Akram Boutros/Craig Richmond)

Chairman Miller asked Clerk Schmotzer to read Resolution Nos. R2013-0229 and R2013-0228 into the record.

Dr. Akram Boutros, President and Chief Executive Officer of The MetroHealth System, and Mr. Craig Richmond, Vice President for Revenue Cycle at The MetroHealth System, addressed the Committee regarding Resolution Nos. R2013-0229 and R2013-0228, which related to The MetroHealth System budget. Discussion ensued.

Councilmembers asked questions of Dr. Boutros and Mr. Richmond pertaining to the items, which they answered accordingly.

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

Mr. Mark Parks, Acting Fiscal Officer, and Mr. Timothy Oftermatt, Senior Vice President of Stifel, Nicolas and Company, Inc., briefed the Committee regarding the County's credit and bond ratings by Moody's and Standard and Poor's and the new ratings criteria. Discussion ensued.

Councilmembers asked questions of Mr. Parks and Mr. Oftermatt pertaining to the ratings and new criteria, which they answered accordingly.

- ii) Office of the Prosecuting Attorney (Timothy McGinty)

Mr. Timothy McGinty, County Prosecutor; Ms. Jane Platten, Chief of Staff for the Office of the Prosecuting Attorney; and Mr. Marvin Davies, Director of Finance and Operations for the Office of the Prosecuting Attorney, addressed the Committee regarding Resolution No. R2013-0229 relating to the budget for the Office of the Prosecuting Attorney. Discussion ensued.

Councilmembers asked questions of Mr. McGinty, Ms. Platten and Mr. Davies pertaining to the item, which they answered accordingly.

No legislative action was taken on Resolution No. R2013-0229 at this time.

Chairman Miller then turned the Chair over to Council President Connally for the remainder of the meeting.

- b) R2013-0169: A Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building; authorizing a Lease for said building in the amount of \$12.00 for a 12-month period commencing on the closing date of said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Ms. Bonnie Teeuwen, Director of Public Works; Mr. Tony Thomas, Executive Director of Welcome House, Inc.; and Mr. Glenn Billington, Attorney for Welcome House, Inc., addressed the Committee regarding Resolution No. R2013-0169. Discussion ensued.

Councilmembers asked questions of Ms. Teeuwen, Mr. Thomas and Mr. Billington pertaining to the item, which they answered accordingly.

Council President Connally introduced a proposed substitute to Resolution No. R2013-0169. Discussion ensued.

A motion was then made by Ms. Connally, seconded by Mr. Gallagher and approved by unanimous vote to substitute Resolution No. R2013-0169.

On a motion by Ms. Connally with a second by Mr. Gallagher, Resolution No. R2013-0169 was considered and approved by unanimous vote to be referred to the full Council agenda for third reading adoption, as substituted.

- c) R2013-0228: A Resolution approving The MetroHealth System Year 2014 Budget, in accordance with Ohio Revised Code Section 339.06(D), with the understanding that the allocation of County funds to the System will be made through adoption of the 2014/2015 Biennial Operating Budget and Capital Improvements Program; and declaring the necessity that this Resolution become immediately effective.

[Note: Item No. 4 c) was taken out of order and considered after Item No. 4. a) 1) i)]

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2013-0228 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- d) R2013-0234: A Resolution making an award on RQ28353 to Turner/Ozanne/VAA a Joint Venture for the Convention Center Hotel Project; authorizing the County Executive to negotiate, enter into, and execute an initial contract with Turner/Ozanne/VAA a Joint Venture in the amount not-to-exceed \$10,000,000.00 for the period 11/13/2013 - 9/1/2016 and to execute all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Clerk Schmotzer read Resolution No. R2013-0234 into the record. Clerk Schmotzer then turned the responsibilities of Clerk over to Deputy Clerk Muller for the remainder of the meeting.

- e) R2013-0236: A Resolution authorizing a contract with Project Management Consultants LLC in the amount not-to-exceed \$4,150,000.00 for owner's representative services in connection with the Convention Center Hotel Project for the period 11/1/2013 - 9/1/2016; 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.
- f) R2013-0237: A Resolution authorizing a final definitive contract with Cooper Carry, Inc. in the amount not-to-exceed \$6,500,000.00 for criteria architectural services for the Convention Center Hotel Project for the period 8/13/2013 - 9/1/2016; 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.
- g) R2013-0240: A Resolution authorizing retention of the law firm of Thompson Hine LLP as legal counsel in connection with the Convention Center Hotel Project in the amount not-to-exceed \$880,000.00 for the period 11/1/2013 - 9/1/2016; authorizing the Director of Law to execute the Engagement Letter and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Miller requested that Resolution Nos. R2013-0236, R2013-0237 and R2013-0240 be considered simultaneously. Council President Connally concurred with this request and asked Deputy Clerk Muller to read them into the record.

Mr. Parks; Mr. Majeed Makhoulf, Director of Law; and Mr. Jeffrey Applebaum, representing Thompson Hine, LLC, then addressed the Committee regarding Resolution Nos. R2013-0234, R2013-0236, R2013-0237 and R2013-0240. Discussion ensued.

Councilmembers asked questions of Mr. Parks, Mr. Makhoul and Mr. Applebaum pertaining to the items, which they answered accordingly.

A brief recess was taken by the Committee, after which Council President Connally reconvened the meeting.

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2013-0234 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0236 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Mr. Greenspan casting the only dissenting vote.

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2013-0237 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Mr. Greenspan casting the only dissenting vote.

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2013-0240 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Mr. Greenspan casting the only dissenting vote.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments unrelated to the agenda were given.

7. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 1:48 p.m., without objection.