



MINUTES

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, APRIL 1, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
2:00 PM**

1. CALL TO ORDER

Council President Connally called the meeting to order at 2:07 p.m.

2. ROLL CALL

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

Council President Connally requested a moment of silent meditation be dedicated to Mr. Frank Bova, Sr., father of Sheriff Bova, who recently passed away.

3. PUBLIC COMMENT RELATED TO AGENDA

Ms. Maryann Barnes, representing the League of Women Voters, and Ms. Adele Eisner addressed the Committee regarding issues of concern to them relating to Ordinance No. O2014-0008, an Ordinance enacting the Cuyahoga County Voting Rights Law and updating the Cuyahoga County Equity Plan in Chapter 1101 of the Cuyahoga County Code.

4. ITEMS REFERRED TO COMMITTEE

- a) R2014-0082: A Resolution confirming the County Executive's appointment of Elise Hara upon her taking the oath of office as Cuyahoga County Director of Human Resources, and declaring the necessity that this Resolution become immediately effective.

Ms. Elise Hara, County Executive FitzGerald's nominee for the position of Director of Human Resources, was called upon to deliver an opening statement. Ms. Hara provided background into her education, experience and qualifications for the position.

Councilmembers asked questions of Ms. Hara pertaining to her experience and expertise, which she answered accordingly.

County Executive FitzGerald expressed support for the confirmation of Ms. Hara as Director Human Resources.

A motion was then made by Mr. Brady, seconded by Mr. Germana and approved by unanimous vote to refer the County Executive's nomination of Ms. Hara to the full Council with a recommendation for passage under second reading suspension of the rules.

- b) R2014-0100: A Resolution extending the term of Interim County Treasurer Jeannet Wright for up to an additional 90 days, or until July 18, 2014; and declaring the necessity that this Resolution become immediately effective.

Ms. Jeannet Wright, Interim County Treasurer, and Mr. James Boyle, Special Assistant to County Executive FitzGerald, addressed the Committee regarding Resolution No. R2014-0100. Discussion ensued.

Councilmembers asked questions of Ms. Wright and Mr. Boyle pertaining to the item, which they answered accordingly.

On a motion by Mr. Hairston with a second by Mr. Miller, Resolution No. R2014-0100 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.

- c) O2014-0008: An Ordinance enacting the Cuyahoga County Voting Rights Law; updating the Cuyahoga County Equity Plan in Chapter 1101 of the Cuyahoga County Code in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.

County Executive FitzGerald and Director of Law Majeed Makhoulf addressed the Committee regarding Ordinance No. O2014-0008. Discussion ensued.

Councilmembers asked questions of County Executive FitzGerald and Mr. Makhoulf pertaining to the item, which they answered accordingly.

Mr. Gallagher submitted a written statement regarding Ordinance No. O2014-0008, which is attached as Exhibit A.

On a motion by Ms. Simon with a second by Mr. Miller, Ordinance No. O2014-0008 was considered and approved by majority roll-call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Councilmembers Simon, Miller, Brady, Germana, Conwell, Jones, Hairston and Connally voting in the affirmative and Councilmembers Greenspan, Gallagher and Schron casting dissenting votes. Additionally, Councilmembers Hairston, Brady, Jones, Conwell, Miller and Connally requested their names be added to the legislation as co-sponsors.

Council President Connally then asked Clerk Schmotzer to read into the record Resolution Nos. R2014-0088, R2014-0089 and R2014-0090.

- d) R2014-0088: A Resolution approving a Qualified Management Agreement with Hilton Management LLC relating to management of a Convention Center Hotel; authorizing the County Executive to execute a Qualified Management Agreement, a Technical Services Agreement, a Pre-Opening Services Agreement, a Room-Block Agreement, and all other documents consistent with this Resolution; authorizing and approving related matters; and declaring the necessity that this Resolution become immediately effective.

Mr. Jeffrey Appelbaum, representing Thompson Hine, LLC and Project Management Consultants, LLC, gave a presentation to the Committee regarding Resolution No. R2014-0088. Discussion ensued.

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

- e) R2014-0089: A Resolution authorizing an amendment to the Design-Build Agreement with Turner/Ozanne/VAA A Joint Venture establishing a definitive guaranteed maximum price in the amount not-to-exceed \$_____ for design-build services for the Convention Center Hotel Project for the period 11/13/2013 - 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.

Mr. Appelbaum gave a presentation to the Committee regarding Resolution No. R2014-0089. Discussion ensued.

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

- f) R2014-0090: A Resolution providing for the acquisition by lease purchase of real property including a convention center hotel facility; authorizing a Lease Purchase Agreement with respect to the convention center hotel facility; authorizing and approving other documents relating to the convention center

hotel facility and financing thereof; and declaring the necessity that this Resolution become immediately effective.

Mr. Tim Offtermatt, representing Stifel, Nicolaus & Company, gave a presentation regarding Resolution No. R2014-0090. Discussion ensued.

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution Nos. R2014-0088, R2014-0089, R2014-0090 were considered and approved by majority vote to be referred to the full Council agenda for second reading, with Councilmember Greenspan casting the only dissenting vote.

5. MISCELLANEOUS BUSINESS

Mr. Miller submitted a written statement regarding discussions from the March 31, 2014 Finance & Budgeting Committee meeting, which is attached as Exhibit B.

6. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

7. EXECUTIVE SESSION

- a) Imminent and/or pending litigation and Attorney-Client communications.

A motion was made by Mr. Germana, seconded by Ms. Simon and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters pertaining to imminent and/or pending litigation and attorney-client communications and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 4:30 p.m. The following Councilmembers were present: Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally. Councilmember Hairston was absent from Executive Session. The following additional attendees were present: Director of Law Majeed Makhoul, Assistant Law Director Joseph Boatwright, Attorneys Karen Giffen and Kerin Kaminski from the Law Firm of Giffen & Kaminski, Council Chief of Staff Joseph Nanni, Council Legislative Budget Analyst Trevor McAleer and Council Research & Policy Analyst Michael King. At 4:57 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the meeting.

8. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 4:58 p.m., without objection.