



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MAY 13, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 5:07 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation for the safe return of the lost girls of Nigeria.

5. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment given related to the agenda.

6. APPROVAL OF MINUTES

- a) April 22, 2014 Committee of the Whole Meeting
- b) April 22, 2014 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Conwell and approved by majority vote to approve the minutes of the April 22, 2014 Committee of the Whole and Regular meetings, with Council President Connally abstaining from the vote due to her absence from the meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally recognized and congratulated the County Council District 9 primary winner, Shontel Brown; she also recognized Patrick Sweeney, a former member of both the Ohio House and Senate.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- a) Discussed the “Dazzle the District” event at Playhouse Square and thanked Council for its support; and**
- b) Discussed collection of court costs and fees.**

9. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0123: A Resolution approving the appointment or reappointment of various individuals to serve on the Cuyahoga County Soldiers’ and Sailors’ Monument Board of Trustees for various unexpired terms, and declaring the necessity that this Resolution become immediately effective:**

- i) appointment for an unexpired term ending 11/15/2018:**

- a) Donald N. Jaffe**

- ii) reappointment for an unexpired term ending 4/15/2019:**

- a) Berj A. Shakarian**
- b) Jerry L. Young**

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2014-0123 to the Human Resources, Appointments & Equity Committee.

b) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- 1) R2014-0108: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for an additional fiscal appropriation in order to meet the budgetary needs of a County department, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell, Germana, Brady and Miller

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2014-0108 into the record.

This item will move to the May 27, 2014 Council meeting agenda for consideration for third reading adoption.

c) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2014-0015: An Ordinance enacting the Cuyahoga County Electronic Modernization Act by authorizing the electronic delivery and execution of legislation, contracts, and other instruments and documents.

Sponsor: Council President Connally/Department of Law

Council President Connally referred Ordinance No. O2014-0015 to the Council Operations & Intergovernmental Relations Committee.

10. LEGISLATION INTRODUCED BY EXECUTIVE

a) CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2014-0111 and R2014-0124.

- 1) R2014-0111: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, AFL-CIO, Local 3631, covering approximately 64 employees in the classification of Assistant Public Defender at the Office of the Public Defender for the period 1/1/2013 - 12/31/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law on behalf of Office of the Public Defender

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2014-0111 was considered and adopted by unanimous vote.

- 2) R2014-0124: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

Mr. Miller introduced an amendment on the floor. Discussion ensued. A motion was then made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to add Item AY. to Section 1. of Resolution No. R2014-0124 to provide appropriations in the amount of \$4,520,000.00 for the countywide IT Switch Refresh Project.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2014-0124 was considered and adopted by unanimous vote, as amended.

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0125: A Resolution authorizing the transfer of certain County properties to the Board of Park Commissioners of the

Cleveland Metropolitan Park District; authorizing the lease of certain County properties to said Board; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2014-0125 to the Committee of the Whole.

- 2) R2014-0126: A Resolution authorizing a second amendment to a Hangar Lease Agreement with Eaton Corporation for the period 6/1/2003 - 5/31/2013 to exercise an option to extend the time period to 5/31/2018 and to change the per annum fee to the County from \$112,145.00 to \$116,167.64; 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2014-0126 to the Public Works, Procurement & Contracting Committee.

- 3) R2014-0127: A Resolution making an award on RQ30134 to Professional Service Industries, Inc. in the amount not-to-exceed \$862,232.00 for testing and inspection services for the Convention Center Hotel Project for the period 5/27/2014 - 12/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2014-0127 to the Public Works, Procurement & Contracting Committee.

- 4) R2014-0128: A Resolution making an award on RQ30047 to The C.A. Agresta Construction Co. in the amount not-to-exceed \$904,764.90 for repair and resurfacing of Harvard Avenue from Newburgh Heights West Corporation Line to East 54th Street in the Village of Newburgh Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2014-0128 to the Public Works, Procurement & Contracting Committee.

- 5) R2014-0129: A Resolution making an award on RQ29932 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,099,283.40 for 2014 Resurfacing Operations Group 2 in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

- i) Chagrin Boulevard from Lander Road to South Lane in the City of Pepper Pike and Village of Moreland Hills.
- ii) West Grace Street from Turney Road to Broadway Avenue in the City of Bedford.

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

Council President Connally referred Resolution No. R2014-0129 to the Public Works, Procurement & Contracting Committee.

- 6) R2014-0130: A Resolution authorizing an amendment to Contract No. CE1200357-01 with Health Span Integrated Care fka Kaiser Foundation Health Plan of Ohio for group healthcare benefits for County employees and their eligible dependents including medical and pharmacy benefit management services for the period 1/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$4,000,000.00; 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.

Sponsor: County Executive FitzGerald/Department of Human Resources

Council President Connally referred Resolution No. R2014-0130 to the Human Resources, Appointments & Equity Committee.

- 7) R2014-0131: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$551,700.00 for measured business line services for the period 6/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Council President Connally referred Resolution No. R2014-0131 to the Finance & Budgeting Committee.

- 8) R2014-0132: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$2,382,000.00 for Centrex telephone and Centrex messaging services for the period 6/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Council President Connally referred Resolution No. R2014-0132 to the Finance & Budgeting Committee.

- 9) R2014-0133: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$2,396,160.00 for Session Initiation Protocol and transport services for the period 6/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Council President Connally referred Resolution No. R2014-0133 to the Finance & Budgeting Committee.

- 10) R2014-0134: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$300,000.00 for long distance services for the period 6/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Council President Connally referred Resolution No. R2014-0134 to the Finance & Budgeting Committee.

- 11) R2014-0135: A Resolution authorizing a Lease Agreement with City of Broadview Heights in the amount not-to-exceed \$30.00 for land for an Emergency Operations Center and Special Operations Facility for the period 6/1/2014 - 5/31/2044; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management

Council President Connally referred Resolution No. R2014-0135 to the Public Safety & Justice Affairs Committee.

- 12) R2014-0136: A Resolution authorizing a contract with Federal Express Corporation, FedEx Ground Package System, Inc. and FedEx Corporate Services, Inc. in the amount not-to-exceed \$1,760,000.00 for transportation/carrier services for the period 6/1/2014 - 5/31/2015; 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.

Sponsor: County Executive FitzGerald/Clerk of Courts

Council President Connally referred Resolution No. R2014-0136 to the Public Safety & Justice Affairs Committee.

- 13) R2014-0137: A Resolution authorizing an amendment to Contract No. CE1300322-01 with Catholic Charities Corporation for pre-employment screening services for Ohio Works First applicants for the period 7/1/2013 - 6/30/2014 to extend the time period to 6/30/2015 and for additional funds in the amount not-to-exceed \$523,100.00; 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.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Cuyahoga Job and Family Services

Council President Connally referred Resolution No. R2014-0137 to the Health, Human Services & Aging Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2014-0103: A Resolution authorizing a contract with National Council for Community Development, Inc. dba National Development Council in the amount not-to-exceed \$2,132,000.00 for administration and capitalization of the Grow Cuyahoga County Fund for the period 1/1/2014 - 12/31/2015; authorizing an agreement with Cuyahoga County Community Improvement Corporation for fiscal agent services in connection with said Fund for the period 11/19/2013 - 12/31/2016; authorizing the County Executive to execute the

contract and agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development and Councilmember Jones

Committee Assignment and Chair: Economic Development & Planning – Schron

Clerk Schmotzer read Resolution No. R2014-0103 into the record.

This item will move to the May 27, 2014 Council meeting agenda for consideration for third reading adoption.

- 2) R2014-0115: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Personnel Review Commission

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

Clerk Schmotzer read Resolution No. R2014-0115 into the record.

This item will move to the May 27, 2014 Council meeting agenda for consideration for third reading adoption.

- 3) R2014-0122: A Resolution approving The MetroHealth System's request to establish and operate a healthcare facility in the City of Brunswick, Medina County, Ohio; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of The MetroHealth System

Committee Assignment and Chair: Health, Human Services & Aging – Brady

Clerk Schmotzer read Resolution No. R2014-0122 into the record.

This item will move to the May 27, 2014 Council meeting agenda for consideration for third reading adoption.

d) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2014-0113, R2014-0114, R2014-0116, R2014-0117, R2014-0118, R2014-0119, R2014-0120 and R2014-0121.

- 1) R2014-0113: A Resolution amending Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland, to add the State of Ohio as a party to agreements to be entered into pursuant to the Resolution and to clarify the funding arrangements in connection with the project; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Public Works, Procurement & Contracting – Jones

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0113 was considered and adopted by unanimous vote.

- 2) R2014-0114: A Resolution making an award on RQ29436 to Schirmer Construction LLC in the amount not-to-exceed \$612,351.00 for replacement of Boston Road Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$489,880.80 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Public Works, Procurement & Contracting – Jones

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0114 was considered and adopted by unanimous vote.

- 3) R2014-0116: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$1,418,820.00 for Wide Area Network links for the period 5/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Information Technology and Regional Enterprise Data Sharing System

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0116 was considered and adopted by unanimous vote.

- 4) R2014-0117: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$6,649,758.68 for Wide Area Network and Local Area Network equipment upgrades and services for the period 5/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0117 was considered and adopted by unanimous vote.

- 5) R2014-0118: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$85,800.00 for Internet Service Provider services for the period 5/1/2014 - 12/31/2018; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0118 was considered and adopted by unanimous vote.

- 6) R2014-0119: A Resolution making an award on RQ27440 to CareWorks Technologies, Ltd. in the amount not-to-exceed \$842,563.34 for DMZ and Firewall security equipment and maintenance for the Regional Enterprise Data Sharing System for the period 4/1/2014 - 3/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0119 was considered and adopted by unanimous vote.

- 7) R2014-0120: A Resolution authorizing a contract with BZT Acquisition, LLC in the amount not-to-exceed \$798,000.00 for lease of space located at 75 Erieview Plaza, Cleveland, for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019; 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.

Sponsors: County Executive FitzGerald/Departments of Public Works and Public Safety and Justice Services/Division of Witness/Victim and Councilmembers Miller, Germana, Jones, **Simon, Conwell, Connally and Hairston**

Committee Assignment and Chair: Public Works, Procurement & Contracting – Jones

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0120 was considered and adopted by unanimous vote.

- 8) R2014-0121: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) for a decrease in funds:
 - a) No. CE1100623-01 with Catholic Charities Corporation dba Parmadale in the amount of (\$528,000.00).
 - ii) for additional funds:
 - a) No. CE1100616-01 with Alliance Human Services, Inc. in the amount not-to-exceed \$25,000.00.
 - b) No. CE1100622-01 with Caring for Kids, Inc. in the amount not-to-exceed \$15,000.00.
 - c) No. CE1100610-01 with Diversion Adolescent Foster Care of Ohio, Inc. in the amount not-to-exceed \$38,000.00.
 - d) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount not-to-exceed \$1,000.00.
 - e) No. CE1100772-01 with Fox Run: The Center for Children and Adolescents in the amount not-to-exceed \$30,000.00.
 - f) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount not-to-exceed \$270,000.00.

- g) No. CE1100628-01 with S.T.A.R.T. Support to At-Risk Teens in the amount not-to-exceed \$135,000.00.
- h) No. CE1100672-01 with House of New Hope in the amount not-to-exceed \$14,000.00.

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

Committee Assignment and Chair: Health, Human Services & Aging – Brady

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2014-0121 was considered and adopted by unanimous vote.

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2014-0105: A Resolution making an award on RQ27440 to TEC Communications, Inc. in the amount not-to-exceed \$1,700,000.00 for Wide Area Network and Voice over Internet Protocol consultant services for the period 5/1/2014 - 12/31/2018; authorizing the County Executive to execute the Master Agreement and contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Information Technology and Regional Enterprise Data Sharing System

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2014-0105 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, May 19, 2014 at 9:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Wednesday, May 14, 2014 at 11:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, June 3, 2014 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, May 21, 2014 at 11:00 a.m.

12. MISCELLANEOUS BUSINESS

Mr. Miller reported on Multiple Chemical Sensitivity Awareness Month in Cuyahoga County and involuntary exposures that may harm a person's health; he also mentioned that he is doing research on the County's car idling policy.

Mr. Schron suggested that Council revisit the dollar limits specified for contracting approval by the Contracts and Purchasing Board, Board of Control and Council.

Ms. Simon indicated that the Education, Environment & Sustainability Committee will explore the benefits of having a County Sustainability Manager.

13. PUBLIC COMMENT UNRELATED TO AGENDA

There were no public comments given unrelated to the agenda.

14. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 5:52 p.m., without objection.