



AGENDA
CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 10, 2015
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
2:30 PM

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT RELATED TO AGENDA

4. ITEM REFERRED TO COMMITTEE / CONFIRMATION HEARING:

- a) R2015-0021: A Resolution confirming the County Executive's appointment of Nailah K. Byrd, upon her taking the oath of office, as Clerk of Courts of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

5. DISCUSSION / EXECUTIVE SESSION

- a) Collective bargaining matters, including:
 - i) an amendment to a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Association of Cuyahoga County Employees for Special Students, an affiliate of National Education Association and Ohio Education Association, representing approximately 109 employees in various classifications for the period 9/1/2012 - 8/31/2015 to extend the time period to 12/31/2016 and to modify language in various Articles.
 - ii) an amendment to a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, affiliated with

Association of Federal, State, County and Municipal Employees, AFL-CIO, Chapter 744, representing approximately 86 employees in various classifications for the period 1/1/2013 - 12/31/2015 to extend the time period to 12/31/2016 and to modify language in various Articles.

- iii) an amendment to a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Service Employees International Union, District 1199, WV/KY/OH, the Healthcare and Social Services Union, representing approximately 168 employees in various classifications in Services and Support Administration for the period 1/1/2013 - 12/31/2015 to extend the time period to 12/31/2017 and to modify language in various Articles.

6. MISCELLANEOUS BUSINESS

7. PUBLIC COMMENT UNRELATED TO AGENDA

8. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0021

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of Nailah K. Byrd, upon her taking the oath of office, as Clerk of Courts of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Article V, Section 5.01 of the Charter of Cuyahoga County, each of the offices provided for in Article V shall be appointed by the County Executive, subject to the confirmation by Council; and

WHEREAS, Article V, Section 5.04 of the Charter provides for the office of the Clerk of the Courts for the Court of Common Pleas; and

WHEREAS, the County Executive has nominated Nailah K. Byrd, Esq. for the appointment to the position of Clerk of Courts for the Cuyahoga County Court of Common Pleas; and

WHEREAS, the Council conducted a confirmation hearing which was noticed to the public and held in an open meeting on _____, 2015; and

WHEREAS, the Council elects to confirm the County Executive's appointment of Nailah K. Byrd, Esq. as the Clerk of Courts; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of County government.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the appointment of Nailah K. Byrd, Esq. to serve as the Cuyahoga County Clerk of Courts upon her taking the oath of office.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided

that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective.

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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 Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: January 27, 2015
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 20__



ARMOND BUDISH
Cuyahoga County Executive

January 20, 2015

Dan Brady, President
Cuyahoga County Council
Cuyahoga County Administration Headquarters
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Re: Clerk of Courts

Dear President Brady:

Pursuant to Article V, Section 5.04 of the Cuyahoga County Charter, I am pleased to nominate Nailah K. Byrd, Esq. to serve as the Cuyahoga County Clerk of Courts. A copy of her resume and biography are attached hereto for your review. As you know, Ms. Byrd has served as Cuyahoga County's Inspector General since February 2011. As the first Inspector General, Ms. Byrd handled all staffing of the office as well as overseeing all operations of the Agency. Currently, she manages a staff of seven employees and manages an annual budget of approximately \$900,000.00. The Agency consists of highly qualified and skilled employees who assist her in detecting and deterring fraud, corruption, waste, abuse, misfeasance, malfeasance and nonfeasance within County government.

As her resume details, Ms. Byrd has practiced law for more than seventeen years. In addition to serving as the Inspector General, Ms. Byrd has served as an Assistant District Attorney, an Associate at an international law firm, Senior Counsel at a major financial institution, and as an Assistant United States Attorney. A few of Ms. Byrd's accomplishments in her current role include implementing a Case Management Software System, establishing an independent Inspector General website and a Whistleblower Hotline, preparing, presenting and publicly posting Semi-Annual reports. These reports detail not only the duties, responsibilities and accomplishments of the Agency but also include the disposition of closed investigations, reviews and ethics opinions.

Ms. Byrd is a dedicated public servant who has ably served as our independent Inspector General. Her management skills and budgetary insight are ideally suited to serving as the next Clerk of Courts. I am proud to nominate her for service in this vital position.

Should you or any of your colleagues have any questions, please feel free to contact my Assistant, Laura Roche at 216-698-2100.

Sincerely,

Armond Budish
Cuyahoga County Executive

Nailah K. Byrd, Inspector General, Cuyahoga County

Nailah K. Byrd was appointed Cuyahoga County's first Inspector General on February 7, 2011. She has a wealth of experience in both criminal prosecution and civil litigation. In her role as Inspector General, Ms. Byrd is responsible for investigating waste, fraud and abuse in Cuyahoga County, which has approximately 5,000 employees and a \$1.3 billion annual budget.

Ms. Byrd previously worked as a federal prosecutor in the United States Attorney's Office. Prior to that, she practiced law in the litigation group at the international law firm of Squire Sanders & Dempsey, and then served as senior counsel at National City Bank/PNC, where she managed outside litigation counsel. Ms. Byrd is admitted to practice law in New York, New Jersey, and Ohio. She started her legal career as an Assistant District Attorney in New York County after graduating from law school. In March 2013 Ms. Byrd successfully completed the training and examination to earn the designation of Certified Inspector General by the Professional Certification Board of the Association of Inspectors General.

Ms. Byrd is a graduate of the 2004 Bridge Builders class and is a member of Kaleidoscope Magazine's 40 under 40. She previously served on the Magistrate Selection Committee for the Northern District of Ohio. She has been recognized as a top lawyer in Ohio Super Lawyers Magazine and was selected by Crain's Cleveland Business Magazine as a 2011 Women of Note finalist. In 2011, Ms. Byrd was also honored by the Northeast Ohio African American Library and Cultural Center in their annual Young, Gifted, and Black with ties to Black History Program. Cleveland Magazine selected her as one of the Most Interesting People of 2012. Most recently, Ms. Byrd was selected as a member of the Leadership Cleveland Class of 2014. She previously served on the Cleveland Metropolitan Bar Association Nominating Committee. Additionally, Ms. Byrd has been asked to serve as a speaker, moderator and panelist for a number of organizations to discuss topics such as women, diversity, and law. Ms. Byrd lives with her husband, Ed, and their twin sons Jalen and Khalil.

NAILAH K. BYRD

[REDACTED] Sagamore Hills, Ohio 44067
[REDACTED]

Qualifications

Analytical lawyer with skill in methodical and systematic planning and strategizing of legal arguments for diverse entities.

Solid background in problem solving that contributes to organization's productivity.

Able to use logic and reason to effectively bring an issue to closure.

A proven ability to negotiate complex transactions and settlements.

Excellent research, writing and executive presentation skills.

Professional Experience

AGENCY OF INSPECTOR GENERAL, Cleveland, Ohio

Inspector General

February 2011 - Present

Serves as first Inspector General for Cuyahoga County.

Responsible for investigating waste, fraud, corruption and abuse in a county of approximately 5,000 employees and 3,000 contractors and lobbyist.

Serves as the Chief Ethics Investigative Officer for Cuyahoga County.

Manages the appropriate allocation of \$1.3 billion annual budget and supervise Agency staff.

Modernized department record maintenance which includes computerizing investigations, compliance, and disclosure information.

Instituted a whistleblower hotline, allowing citizens the opportunity to anonymously report ethics violations and/or violations of state or federal statues, rules, or regulations and/or the misuse of public resources.

Work closely with other county departments and various law enforcement agencies to promote elimination of inappropriate and unethical behavior in all government operations.

U.S. ATTORNEY NORTHERN DISTRICT OF OHIO, Cleveland, Ohio

Assistant U.S. Attorney

August 2010 - February 2011

Represented the Northern District of Ohio in Federal Criminal actions.

Presented cases to Grand Jury, conducted hearings and tried cases.

Interpreted and applied laws, court decisions and other legal authorities for use in preparation of cases, opinions, and briefs.

Negotiated plea agreements with opposing council.

Prepared pleadings and other legal documents in connection with trials, hearings and other legal proceedings.

Conducted extensive legal research using independent judgment, discretion and initiative.

NATIONAL CITY BANK N.K.A. PNC BANK, Cleveland, Ohio

Vice President, Senior Counsel

November 2005 - March 2010

Contributed to Law Department's overall goal of controlling litigation loss, loss exposure and number of filed lawsuits through the avoidance of potential litigation, the prompt resolution of filed lawsuits and pre-litigation claims and the resolution of major cases including class actions on an economically advantageous basis.

Supervised outside counsel across the country in all aspects of litigation including complex multi defendant claims and class actions.

Monitored activities of outside counsel to ensure compliance with pre-determined work plans and budget models.

Managed Governmental investigations to reduce exposure.

Provided professional legal advice and counsel to corporate management to enhance the internal decision making process and insure adequate protection of the company's legal rights, interests and objectives.

SQUIRE, SANDERS & DEMPSEY L.L.P., Cleveland, Ohio

Associate

March 2002 - November 2005

Specialist in White Collar, Labor and general commercial matters.

Managed all aspects of trial discovery and litigation for complex commercial cases and class actions at both federal and state levels.

Strategized arguments and assembled supporting materials including exhibits, expert and non-expert witness depositions in preparation for trial.

Drafted motions, memoranda, briefs, and correspondence to clients and opposing counsel.

Counseled clients in alternative dispute resolution and settlement options.

Communicated effectively with federal and state court judges and staff and partnered with colleagues in case research and development.

Directed junior associates, summer associates and paralegals in coordination and management of case data, exhibits, materials and legal research.

Conducted and defended fact and expert depositions.

Participated in strategic and long term planning for large-scale cases.

NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE, New York, New York

Assistant District Attorney

September 1998 - January 2002

Trial Division: Lead attorney responsible for investigation and prosecution of major felony cases including robberies, burglaries, assaults including vehicular assaults, attempted murders, narcotic transactions, and white collar crimes including embezzlement, grand larceny and forgery.

Tried numerous cases to verdict.

Supervised police investigations including drafting arrest and search warrant, conducted grand jury presentations and preliminary hearings, drafted complaints, omnibus motions and motions in limine.

Mentored and supervised younger Assistants in Grand Jury presentations, witness interviewing and trial strategy.

Domestic Violence Unit: Lead attorney responsible for investigation and prosecution of domestic violence cases, including attempted murder cases, and complaints including in-depth witness interviews and preparation and supervision of specially trained domestic violence police officers.

Tried numerous domestic violence cases to verdict.

Received specialized training from the Domestic Violence Unit of the District Attorney's Office and the New York State Prosecutor's Training Institute.

Supervised and advised Junior Assistants on witness interviews, trial preparation and grand jury presentations.

Education

BROOKLYN LAW SCHOOL, Brooklyn, New York

Juris Doctorate, May 1998

Clinics: Judicial Externship, Hon. David Trager, United States District Court for the Eastern District of New York

Activities: Certified Mediator for disputes referred from the Brooklyn civil court docket and various community programs.

Community Facilitator responsible for mediation between government and local community issues on the recertification of Harlem.

COLUMBIA UNIVERSITY, New York, New York

Bachelor's of Arts, Political Science, June 1995 (Dean's List, all eight semesters)

Bar Admissions

State: New York, New Jersey and Ohio

Federal: United States District Court for the Northern District of Ohio

Memberships and Activities

Certified Inspector General, received certification upon completion of training program and successful passage of an examination.

Cleveland Metropolitan Bar Association, *Nominating Committee Member*

Shoes and Clothes for Kids, *Former Board Member*

Hillcrest Hospital, *Board of Trustees Member*

Selection Committee for United States District Court Magistrate Judge for Northern District of Ohio, *Committee Member*

The Links, Incorporated, *Vice President and Member*

Tutor and Mentor for high school seniors entering college.

Awards and Recognitions

Leadership Cleveland, Class of 2014 Graduate

Cleveland Magazine's Most Interesting People 2012

Northeast Ohio African American Library and Cultural Center 2011 Honoree

Crain's Cleveland Business Magazine 2011 Women of Note finalist

Kaleidoscope Magazine 40/40 Club

Ohio Super Lawyers Rising Stars

Cleveland Bridge Builders, Class of 2004 Graduate

Who's Who in Black Cleveland recognition