



AGENDA
CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, SEPTEMBER 17, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE SEPTEMBER 10, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2013-0017: An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
 - a) Discussion regarding contract with Proware and e-filing of court documents
 - b) Update regarding Strategies Against Violent Encounters (SAVE) Program
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

**CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, SEPTEMBER 10, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:03 p.m.

2. ROLL CALL

Mr. Gallagher asked Assistant Deputy Clerk Carter to call the roll. Committee members Gallagher, Greenspan, Germana and Rogers were in attendance and a quorum was determined. Committee member Conwell was absent from the meeting. Councilmember Miller was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE SEPTEMBER 3, 2013 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Germana and approved by majority vote to approve the minutes of the September 3, 2013 meeting, with Mr. Greenspan abstaining from the vote.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0185: A Resolution providing for an initial Cuyahoga County Criminal Justice Services review, to ensure coordination of county efforts to provide a fair, transparent, and accountable system of justice; and declaring the necessity that this Resolution become immediately effective.

Mr. Gallagher addressed the Committee regarding Resolution No. R2013-0185.

No further legislative action was taken on Resolution No. R2013-0185.

- b) O2013-0017: An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective.

Mr. Michael Dever, Maintenance Administrator; Mr. Russell Bauman, representing Johnson Controls, Inc.; Mr. Andrew Conti, Facilities Maintenance Administrator; and Mr. Ed Morales, Assistant Law Director, addressed the Committee regarding Ordinance No. O2013-0017. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Dever, Mr. Bauman, Mr. Conti and Mr. Morales pertaining to the item, which they answered accordingly.

No further legislative action was taken on Ordinance No. O2013-0017.

6. DISCUSSION

- a) Update regarding contract with Proware and e-filing of court documents

Mr. Frank Bova, Sheriff, addressed the Committee regarding the Strategies Against Violent Encounters (SAVE) program. Classes will be held from 7-9:00 p.m. on October 3rd, October 10th, October 17th and October 24, 2013 on the east and west side of Cleveland.

Mr. Jeff Mowry, Chief Information Officer; Mr. Randy Sadler, President of Proware; Mr. Thomas Arnaut, Director of Information Systems for Common Pleas Court; Ms. Andrea Rocco, Clerk of Courts; Mr. Gregory Popovich, Administrator of Common Pleas Court; Mr. Dave Spellacy, Attorney; and Mr. James Boyle, Special Assistant for County Executive FitzGerald, addressed the Committee regarding the Proware contract and e-filing court documents. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Mowry, Mr. Sadler, Mr. Arnaut, Ms. Rocco, Mr. Popovich, Mr. Spellacy and Mr. Boyle pertaining to the items, which they answered accordingly.

7. MISCELLANEOUS BUSINESS

Mr. Gallagher announced that the next Public Safety & Justice Affairs Committee meeting will take place on Tuesday, September 17, 2013 at 1:00 p.m.

8. OTHER PUBLIC COMMENT

No public comments were given.

9. ADJOURNMENT

With no further business to discuss, Chairman Gallagher adjourned the meeting at 2:39 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0017

| | |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsored by: Councilmembers Gallagher and Greenspan | An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective. |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

WHEREAS, Article III, Section 3.09(7) of the Charter of Cuyahoga County provides Council “to provide for the acquisition, construction, maintenance, administration, rental, and leasing of property, including buildings and other public improvements”; and

WHEREAS, the County Council would like to provide inspections for Heating Ventilation Air Condition (hereinafter “HVAC”) fire and smoke dampers located within all County owned and/or leased buildings; and

WHEREAS, the fire and smoke dampers are fire prevention products used in HVAC ducts to prevent the spread of fire and smoke inside HVAC ducts through walls and floors, and

WHEREAS, the County Council desires to establish a Cuyahoga County Fire and Smoke Damper Inspection Program for all County buildings in order to protect the health and welfare of all County workers, visitors and safety forces of County owned buildings;

WHEREAS, providing said inspections will ensure that the County is in compliance with the most up-to-date National Fire Protection Association regulations; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order to ensure the safety within County buildings and to provide for the usual, daily operation of the County.

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

SECTION 1. Chapter 603 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 603: FIRE AND DAMPER INSPECTION PROGRAM

603.01 Fire and Damper Inspection Program

There is hereby created a Cuyahoga County Fire and Smoke Damper Program for the purpose of ensuring all fire and smoke dampers in County owned or leased buildings are in working order to prevent the spread of fire and smoke inside walls and floors.

603.02 Regularity and Monitoring Inspections

All fire and smoke damper units in buildings that are County owned or leased shall be tested and inspected every four (4) years. Compliance with this testing and inspections shall be monitored by the Department of Public Works and the Director of Public Works. The initial testing and inspecting of these units shall begin one-hundred and eighty day (180) after this program becomes effective.

603.03 Regulations Governing Testing and Inspections and Requirements for the Inspectors

The fire and smoke damper unit testing and inspections shall be conducted in accordance with National Fire Protection Association standards. The testing and inspections shall be conducted by independent third party technicians and contractors who have been certified by the International Certification Board and American National Standards Institute to ensure the quality and knowledge of the inspection process. Procurement of these technicians and contractors shall be made in accordance of Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.04 Repairs or Replacements

If any fire and smoke damper unit is found to be faulty or inoperable, repairs or replacements shall begin as soon as possible and be completed within sixty days (60) from the date the unit was found to be faulty or inoperable. All repairs or replacements of the fire and smoke damper units shall be completed and approved by independent third party technicians and contractors who are certified by the International Certification Board and American National Standards Institute. Compliance with the repairs or replacements shall be monitored by the Department of Public Works and the Director of Public Works. Procurement of these technicians and contractors shall be made in accordance of Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.05 Record and Reporting of Inspections and Repairs

All testing and inspections shall be documented indicating the location of each fire and smoke damper, date of the inspection, name of the inspector, deficiencies discovered, and any repairs or replacements completed. The results of the testing and inspections shall be given by the independent third party technicians and contractors to the Department of Public Works and the Director of Public Works within thirty (30) days of the completion of each County owned or leased building tested and inspected. The Department of Public Works and the Director of Public Works shall keep those testing and inspection reports until the next testing and inspection is

First Reading/Referred to Committee: July 23, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 2013

[Proposed Substitute Ordinance]
County Council of Cuyahoga County, Ohio
Ordinance No. O2013-0017

| | |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsored by: Councilmembers Gallagher and Greenspan | An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective. |
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WHEREAS, Article III, Section 3.09(7) of the Charter of Cuyahoga County provides Council “to provide for the acquisition, construction, maintenance, administration, rental, and leasing of property, including buildings and other public improvements”; and

WHEREAS, the County Council would like to provide inspections for Heating Ventilation Air Condition (hereinafter “HVAC”) fire and smoke dampers located within all County owned ~~and/or leased~~ buildings; and

WHEREAS, the fire and smoke dampers are fire prevention products used in HVAC ducts to prevent the spread of fire and smoke inside HVAC ducts through walls and floors, and

WHEREAS, the County Council desires to establish a Cuyahoga County Fire and Smoke Damper Inspection Program for all County buildings in order to protect the health and welfare of all County workers, visitors and safety forces of County owned buildings;

WHEREAS, providing said inspections will ensure that the County is in compliance with the most up-to-date National Fire Protection Association regulations; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order to ensure the safety within County buildings and to provide for the usual, daily operation of the County.

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

SECTION 1. Chapter 603 of the Cuyahoga County Code is hereby enacted as follows:

Comment [B1]: County has jurisdiction over buildings that it owns. To require compliance with this program mandate in leased buildings, County would have to negotiate this as a lease term at the time of entering into contract.

Chapter 603: FIRE AND DAMPER INSPECTION PROGRAM

603.01 Fire and Damper Inspection Program

There is hereby created a Cuyahoga County Fire and Smoke Damper Program for the purpose of ensuring all fire and smoke dampers in County owned ~~or leased~~ buildings are in working order to prevent the spread of fire and smoke inside walls and floors.

Comment [B2]: See comment made at 2nd WHEREAS clause on first page.

603.02 Definitions

(A) Fire damper: A listed device installed in ducts and air transfer openings designed to close automatically upon detection of heat and resist the passage of flame. Fire dampers are classified for use in either static systems that will automatically shut down in the event of a fire, or in dynamic systems that continue to operate during a fire. A dynamic fire damper is tested and rated for closure under elevated temperature airflow.

Comment [B3]: Ohio Administrative Code 1301:7-702 Definitions .

(B) Smoke damper: A listed device installed in ducts and air transfer openings designed to resist the passage of smoke. The device is installed to operate automatically, controlled by a smoke detection system, and where required, is capable of being positioned from a fire command center.

Comment [B4]: Ohio Administrative Code 1301:7-702 Definitions.

603.023 Regularity and Monitoring Inspections

All fire and smoke damper units in buildings that are County owned ~~or leased~~ shall be tested and inspected every four (4) years. Compliance with this testing and inspections shall be monitored by the Department of Public Works and the Director of Public Works. The initial testing and inspecting of these units shall begin one-hundred and eighty day (180) after this program becomes effective.

Comment [B5]: See comment made at 2nd WHEREAS clause on first page.

603.034 Regulations Governing Testing and Inspections and Requirements for the Inspectors

The fire and smoke damper unit testing and inspections shall be conducted in accordance with National Fire Protection Association standards. The testing and inspections shall be conducted by independent third party technicians and contractors who have been certified by the International Certification Board and American National Standards Institute to ensure the quality and knowledge of the inspection process. Procurement of these technicians and contractors shall be made in accordance with the Contracts and Purchasing Procedures set forth in ~~of~~ Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.045 Repairs or Replacements

If any fire and smoke damper unit is found to be faulty or inoperable, repairs or replacements shall begin as soon as possible and be completed within sixty days (60) from the date the unit was found to be faulty or inoperable. All repairs or replacements of the fire and smoke damper units shall be completed and approved by independent third party technicians and contractors who are certified by the International Certification Board and American National Standards Institute. Compliance with the repairs or replacements shall be monitored by the Department of

Public Works and the Director of Public Works. Procurement of these technicians and contractors shall be made in accordance ~~of~~ with the Contracts and Purchasing Procedures set forth in Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.056 Record and Reporting of Inspections and Repairs

All testing and inspections shall be documented indicating the location of each fire and smoke damper, date of the inspection, name of the inspector, deficiencies discovered, and any repairs or replacements completed. The results of the testing and inspections shall be given by the independent third party technicians and contractors to the Department of Public Works and the Director of Public Works within thirty (30) days of the completion of each County owned ~~or leased~~ building tested and inspected. The Department of Public Works and the Director of Public Works shall keep those testing and inspection reports until the next testing and inspection is completed four (4) years later. The Department of Public Works and the Director of Public Works shall publish on its website semiannual reports of the testing and inspection results (the first of which will cover the period January 1st – June 20th and will be due in July and the second of which will cover the period July 1st – December 21st and will be due in February). The Department of Public Works and the Director of Public shall report to Council through a Council Meeting, Committee of the Whole, or a designated Committee of Council, as requested, the results of the testing and inspection.

Comment [B6]: See comment made at 2nd WHEREAS clause on first page.

SECTION 2. It is necessary that this Ordinance 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 Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance 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 Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: July 23, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 2013