



**AGENDA
CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS
COMMITTEE MEETING
TUESDAY, JULY 8, 2014
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 JUNE 17, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 6/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland; 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.
 - b) O2014-0019: An Ordinance enacting Chapter 716 of the Cuyahoga County Code to establish procedures for setting the fee structure for Sheriff's Department background check services, and declaring the necessity that this Ordinance become immediately effective.
- 6. DISCUSSION**

a) O2013-0023: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Section 701.05 to establish a policy for a more consistent approach to compensation including any pay rate adjustments, cost of living adjustments, and/or merit pay awards to all or a significant part of its non-bargaining employees as part of the biennial budget process or throughout the year.

b) Update regarding Fire Damper Inspection Program

7. MISCELLANEOUS BUSINESS

8. OTHER PUBLIC COMMENT

9. 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, JUNE 17, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

1. CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:05 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE MAY 20, 2014 MEETING

A motion was made by Mr. Germana, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the May 20, 2014 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 6/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor,

Cleveland; 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.

Mr. Frank Bova, Sheriff, and Ms. Vallerie Propper, Special Assistant to County Executive FitzGerald, addressed the Committee regarding Resolution No. R2014-0073. Discussion ensued.

Committee members and Councilmembers asked questions of Sheriff Bova and Ms. Propper pertaining to the item, which they answered accordingly.

No further legislative action was taken on Resolution No. R2014-0073.

6. MISCELLANEOUS BUSINESS

Mr. Gallagher announced that an update will be given on the County's Fire Damper Inspection program at the next Public Safety & Justice Affairs Committee meeting.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Gallagher adjourned the meeting at 1:21 p.m., without objection.

*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.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0073

Sponsored by: County Executive FitzGerald/County Sheriff	A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 6/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6 th Floor, Cleveland; 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.
---	--

WHEREAS, the County Executive on behalf of the Cuyahoga County Sheriff's Department has authorized a revenue generating underlying agreement with The City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City of Cleveland prisoners; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland; and

WHEREAS, the primary goals of this project are for the City of Cleveland to turn operation of its prisoners over to the County Sheriff and for the County Sheriff to provide the City of Cleveland with prisoner booking, housing, and other related jail services; and

WHEREAS, the funding for the agreement is 100% from the revenue generating agreement with the City of Cleveland; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by the County can continue.

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

SECTION 1. The Cuyahoga County Council authorizes a revenue generating underlying agreement with The City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City of Cleveland prisoners; authorizing a Lease in connection with said agreement in the amount not-to-exceed

\$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland.

SECTION 2. That the County Executive is authorized to execute the agreement and all documents consistent with this Resolution.

SECTION 3. 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 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 4. It is found and determined that all formal actions of this Council 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:

_____ Date
County Council President

_____ Date
County Executive

_____ Date
Clerk of Council

First Reading/Referred to Committee: March 11, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0019

Sponsored by: County Executive FitzGerald/County Sheriff	An Ordinance enacting Chapter 716 of the Cuyahoga County Code to establish procedures for setting the fee structure for Sheriff's Department background check services, and declaring the necessity that this Ordinance become immediately effective.
---	--

WHEREAS, the Sheriff's Department performs background check services for the general public upon request.

WHEREAS, the Bureau of Criminal Investigation ("BCI") and the Federal Bureau of Investigation ("FBI") assess fees for performing background check services to the Sheriff's Department.

WHEREAS, the Sheriff's Department expends personnel hours and uses County equipment and material to perform background check services.

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

SECTION 1. Chapter 716 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 716: Background Check Service Fees (General Public)

Section 716.01: Establishment of Fees for Fingerprints and Web Checks

The Sheriff's Department shall collect and deposit fees for concealed handgun licenses in accordance with the Ohio Revised Code. For all other fingerprint and background check services, the Sheriff's Department shall establish the fees as follows:

- (A) The fees shall take into account the costs assessed to the Sheriff's Department by the Bureau of Criminal Investigation and the Federal Bureau of Investigation to perform the checks; and

Clerk of Council

Date

First Reading/Referred to Committee: June 24, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0023

<p>Sponsored by: Councilmember Gallagher</p> <p>Co-sponsored by: Councilmembers Greenspan and Miller</p>	<p>An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Section 701.05 to establish a policy for a more consistent approach to compensation including any pay rate adjustments, cost of living adjustments, and/or merit pay awards to all or a significant part of its non-bargaining employees as part of the biennial budget process or throughout the year.</p>
--	---

WHEREAS, Article II, Section 2.03(9) requires the County Executive to submit to the County Council prior to the beginning of each biennium, a proposed operating budget for the upcoming biennium; and

WHEREAS, Article II, Section 2.03(9)(B) requires the County Executive to submit as part of the biennium budget a statement of proposed expenditures, shown by department, office, agency, authority, board and commission, and by activity, character and object; and

WHEREAS, Article III, Section 3.09 (5) empowers the County Council to adopt and amend the biennial operating budget and to make appropriations for the County; and

WHEREAS, on a biennial basis all departments, offices, agencies, authorities, and boards and commissions come before the County Council to present their upcoming biennial budget and have the opportunity to request any additional appropriation for any unbudgeted expenditures; and

WHEREAS, the County Council desires to receive notification prior to the expenditure of funds for any unbudgeted items to ensure County funds are not used for any unintended purpose.

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

SECTION 1: The Cuyahoga County Council hereby amends Chapter 701 of the Cuyahoga County Code by adding Section 701.05 to establish a policy for a more consistent approach to compensation including any pay rate adjustments, cost of

living adjustments, and/or merit pay awards to all or a significant part of its non-bargaining employees as part of the biennial budget process or throughout the year to read as follows:

SECTION 701.05: Advance Notice of Proposed Compensation Changes

A. In order to provide for a more consistent approach to compensation and benefits for County employees, the County's policy shall be to request any Cuyahoga County department, office, agency, court, board, commission or other authority to which biennial budget appropriations are made provide thirty (30) days prior written notice to the Clerk of Council of any planned pay rate adjustments, cost of living adjustments, and/or merit pay awards applicable to all or a significant part of its non-bargaining employees. This provision shall not apply to any such adjustments and/or awards that have been specifically provided for in the biennial budget then in effect.

SECTION 2. 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: October 22, 2013

Committee(s) Assigned: Finance & Budgeting

Additional Sponsorship Requested: November 19, 2013

Committee Report/Second Reading: June 10, 2014

Third Reading: June 24, 2014

Journal _____
_____, 2014