

AGENDA ACTIONS
CUYAHOGA COUNTY COUNCIL WORK SESSION
TUESDAY, JANUARY 18, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
4:00 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 4:00 p.m. after which the Clerk called the roll. Councilmembers Germana, Gallagher, Schron, Conwell, Jones, Connally, Greenspan, Miller and Brady were in attendance. Later in the meeting, Councilmembers Rogers and Simon were also present.

The following staff members were present: Jeanne Schmotzer, Joe Nanni, Interim Law Director Ed Morales and Joanne Gross.

2. MR. NATHAN KELLEY, DEPUTY CHIEF OF STAFF FOR ECONOMIC DEVELOPMENT, WILL ADDRESS COUNCIL REGARDING THE ECONOMIC DEVELOPMENT COMMISSION (See attachment County Charter Article VII–Economic Development)

Mr. Nathan Kelley addressed the Council regarding the Economic Development Commission. He indicated that the inaugural Economic Development Commission meeting will be held on Tuesday, January 25, 2011, from noon to 5:00 p.m. to discuss the following organizational business: quarterly meetings, bylaws and rules, the 5-year Economic Development Plan that must be submitted to Council by June 1st, election of officers of the Commission and establishing a communication process with Council regarding Commission activities.

Council President Connally appointed Mr. Schron as Council’s representative to the Commission. Mr. Kelley then indicated that the Commission will consist of the following additional members: County Executive Ed FitzGerald representing Cuyahoga County, Mayor Frank Jackson representing the City of Cleveland, Mr. Will Friedman representing the Cleveland-Cuyahoga County Port Authority, Mayor Bruce Ackers representing the Mayors and Managers Association, Mr. Joe Roman representing the Greater Cleveland Partnership and Ms. Harriett Applegate representing the AFL/CIO. Mr. Kelley indicated that the Council must decide what process will be utilized to appoint a representative for an educational and non-profit designee. Mr. Schron asked his colleagues to provide him with the names of any persons from organizations they may be familiar with in order to formulate an inclusive list for this category. A ninth member is also to be determined by the Commission.

3. DISCUSSION REGARDING CONFIRMATION HEARING PROCEDURES, AGENDAS AND HEARING DATES

Council President Connally received an official notice from County Executive FitzGerald on January 18, 2011 requesting the confirmation of the following three nominees: Sheriff Bob Reid, Clerk of Courts Gerald Fuerst and Director of Public Works Bonita Teeuwen. Discussion ensued regarding the proposed process for conducting the confirmation hearings. It was determined that public comments would be taken first, followed by presentations and testimony of the nominees and then questions by Councilmembers. Council President Connally indicated that she had requested certified copies of each nominee's qualifications to be submitted prior to the hearings. The hearings were then scheduled as follows: January 27, 2011 at 9:00 a.m. for the Sheriff nominee; January 27, 2011 at 1:00 p.m. for the Director of Public Works nominee; and February 3, 2011 at 9:00 a.m. for the Clerk of Courts nominee.

4. DISCUSSION REGARDING COUNTY EXECUTIVE INTERIM APPOINTMENTS

Council discussed interim appointments made by the County Executive. Council President Connally requested that the County Executive provide information on current interim appointments with the date each was appointed and why an interim appointment was necessary. The Council's Executive liaison, Mr. Bob Ivory, said that he would provide the requested information.

5. DISCUSSION REGARDING COUNTY CHARTER ARTICLE VI, SECTION 6.03 OTHER BOARDS AND COMMISSIONS (See attachment County Charter Article VI- Boards and Commissions)

Council President Connally asked Mr. Ivory for a list of all Boards and Commissions. Ms. Conwell indicated that she will get the list and then bring it to her Committee for recommendations. Mr. Germana suggested that Council get some direction and input from the County Executive and Ms. Simon concurred.

Discussion then centered around the immediacy of an Investment Advisory Committee meeting, which must be held quarterly, and the official membership of the Committee. Mr. Miller and Mr. Gallagher were interested in becoming the Council's representatives on the Committee. Mr. Ed Morales, Interim Law Director, said that he will look into this and determine whether appointments by the Council President can be made.

6. MISCELLANEOUS BUSINESS

The following items were discussed:

Mr. Miller and Mr. Brady indicated that Council's rules are an interim process and will likely change after the March 22nd expiration date. The contracting process was then discussed. Mr. Miller said that Council is learning the process of due diligence and oversight of contracts. As Council committees are gearing up, it will be determined which items can be passed under suspension of rules and which items will be referred to committee. Mr. Schron indicated that we should use the work sessions to learn about the contracts and then be able to determine which path to use. Council President Connally said that the President and Vice President, along with input from the Clerk, will determine the Council's agendas. Mr. Greenspan inquired what happened to items withdrawn from last week's agenda and when they will be put back on an agenda. Ms. Schmotzer said that she will inquire. She also explained the current process of going out for bids versus requests for proposals and the current contracting process. Mr. Miller suggested that the Public Works, Procurement & Contracting Committee determine any issues associated with these processes. Council President Connally then referred this matter to the Public Works, Procurement & Contracting Committee.

Mr. Greenspan brought up and discussed filing deadlines related to redistricting and indicated that Council needs to begin to think about the redistricting process and how it involves Council. Mr. Brady concurred and Mr. Germana said that the Council's staggered terms will make redistricting more complicated. Discussion ensued regarding the submittal of maps for review, utilizing experience and information from persons who drew the original districts, and the source of the budget for redistricting assistance. Mr. Brady then suggested that Council set up an ad hoc committee. Mr. Miller said the redistricting plan would need to be done by October 1st and that the Commission needs to be set up by June 1st. The process to select five electors needs to be considered as soon as possible. Ms. Lynda Mayer, representing the League of Women Voters, spoke regarding the consultant that was used for the original district map and suggested that the same consultant be used for redistricting.

Mr. Miller discussed generating a regular and coordinated process for proposed committee meetings. Ms. Simon disagreed with the concept as committees are often issue driven and time-sensitive driven and also based upon availability of the Chair, Vice Chair and members. Mr. Miller brought up the fact that Council rules discuss a process for setting regular committee meeting times. Mr. Brady concurred with establishing committee time slots. Mr. Germana also agreed with scheduling meetings due to the part-time nature of the Council and schedules of persons who work. Ms. Conwell suggested that each committee person look into the information that Mr. Miller sent out; Mr. Greenspan suggested that committee

chairs reserve the room, date and time, but not put all of the meetings on a public calendar until the appropriate time; Mr. Schron agreed with fixing the time, but realized that times will need to be adjusted.

Mr. Brady discussed Council staffing. He recommended that Ms. Schmotzer be appointed Clerk of Council and that Mr. Nanni be appointed Chief of Staff. Mr. Brady indicated that Council is short-staffed and needed to get organized and felt that Council President Connally could make staff appointments. Mr. Germana said that Council needed to vote on staff recommendations. Interim Law Director, Ed Morales, was asked his opinion and he indicated that Council must appoint staff through appropriate legislation, which means by Resolution. There was a consensus for this process among the Councilmembers, which was acknowledged by Mr. Brady. Mr. Brady then indicated that the Clerk of Council position had already been posted at the end of last year and that a job posting would be forthcoming for Deputy Clerk.

Mr. Germana mentioned and asked for a legal opinion regarding classified employees not being able to hold or seek public office. Mr. Greenspan said that his committee is working on this issue and that a legal opinion would be obtained.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 5:49 p.m., without objection.

Respectfully submitted,

Jeanne M. Schmotzer
Clerk of Council pro tem

ARTICLE VII--ECONOMIC DEVELOPMENT

SECTION 7.01 COUNTY ECONOMIC DEVELOPMENT. The County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents. In furtherance of that purpose, the County shall, as authorized by the Constitution of Ohio, general law, and this Charter and enactments pursuant thereto, develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County. In furtherance of this purpose, the County shall appropriate money and enter into agreements and otherwise cooperate with officers, agencies, and instrumentalities of the United States of America, the State of Ohio, with other political subdivisions, and with public and private persons, firms and corporations, foundations, and individuals and institutions, and may accept and make gifts, grants, and loans and other economic incentives.

SECTION 7.02 DEPARTMENT OF DEVELOPMENT. There shall be a Department of Development, under the direction of the Director of Development, which shall develop, direct and implement programs and activities for carrying out the purposes of this Article VII. The Department of Development shall coordinate the programs and activities of the officers, departments, agencies, boards and commissions of the County that relate to economic development, including identification of the causes of unemployment and economic underdevelopment among segments of the population and within communities in the County and the development of programs and activities to remedy such conditions.

SECTION 7.03 DIRECTOR OF DEVELOPMENT: APPOINTMENT AND QUALIFICATIONS. The Director of Development shall be appointed by the County Executive, subject to confirmation by the Council, and shall report to and serve at the pleasure of, the County Executive. The Director of Development shall have had a demonstrated record of experience and accomplishment, in the public or private sector, or both, in economic development matters.

SECTION 7.04 ECONOMIC DEVELOPMENT COMMISSION. There shall be an Economic Development Commission the members of which shall be selected and qualified as follows: One member shall be selected by each of the following: the County Executive; the Council; the mayor of the city of Cleveland; the Cleveland-Cuyahoga Port Authority; the Cuyahoga County Mayors and Managers Association, the Greater Cleveland Partnership, or their respective successors; the Executive Secretary of the North Shore Federation of Labor, or similar officer of a successor organization. One member shall be selected collectively by the nonprofit and educational organizations that are engaged in the promotion of economic development of the County, as shall be designated by the Council. Those members shall select one additional member. Membership on the Economic Development Commission shall not constitute the holding of office or

employment with the County. The members shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties. Any vacancy in the membership of the Economic Development Commission shall be filled in the same manner as that of the person whose position has been vacated. The Economic Development Commission shall adopt its own rules and bylaws for its organization and procedures. It shall meet at least quarterly and shall be provided with such facilities and staff assistance as shall be necessary for the Economic Development Council to carry out its duties. The County Executive and the Director of Development shall keep the Economic Development Commission informed of current and anticipated economic development activities and opportunities, except as necessary to preserve confidentiality of such matters as business plans and trade secrets of private parties.

SECTION 7.05 ECONOMIC DEVELOPMENT PLAN. The Director of Development, in conjunction with the County Executive and in consultation with the Economic Development Commission, shall prepare and present to the Council by the first day of June of each year a proposed five-year economic development plan for the County, for actions to be carried out by the County itself, and in cooperation with other public and private agencies and organizations, for the purpose of enhancing the prosperity and well-being of the County and its residents and communities. If the Council shall fail to adopt the proposed plan, with such changes as the Council shall deem advisable, within sixty days of its presentation to the Council, the plan shall be deemed to be adopted. The economic development plan shall be reviewed and revised annually in accordance with the foregoing procedures.

ARTICLE VI--BOARDS AND COMMISSIONS

SECTION 6.01 BUDGET COMMISSION. The Budget Commission shall consist of the County Executive, the Fiscal Officer and the Prosecuting Attorney. Members of the Budget Commission may appoint deputies to serve on their behalf. The Budget Commission shall exercise all powers and perform all duties of a county budget commission as prescribed by general law.

SECTION 6.02 BOARD OF REVISION. There shall be one or more Boards of Revision, each consisting of three electors of the County. Two members of each board, who shall not be of the same political party, shall be appointed by the Council, and one member shall be appointed by the County Executive, each for a term of three years. Each Board of Revision shall exercise all duties of a county board of revision as prescribed by general law. The Council may provide for compensation for members of a Board of Revision.

SECTION 6.03 OTHER BOARDS AND COMMISSIONS. Any board or commission of the County and any joint board or commission in which the County is a participant that is in existence when this Charter becomes effective, but not provided for in this Charter, shall continue to exist until reorganized or discontinued by action of Council, unless its continuance is required by general law.

SECTION 6.04 SPECIAL BOARDS AND COMMISSIONS. When general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council.