

## **Minutes**

Debarment Review Board meeting

March 25, 2015, 2:00 PM

2079 E. Ninth Street, 4<sup>th</sup> Floor – Committee Room B  
Cleveland, OH 44115

### 1. Call To Order

The meeting was called to order at 2:10 PM

### 2. Roll Call

Attending:

Judge Tim McMonagle, Chair

Evan Byron

Brandon Cox

Roland Demonte

Councilmember Sunny Simon

Also attending:

Michael King, Special Counsel, County Council

Ruchi Asher, Assistant Law Director

### 3. Public Comment

There was no public comment.

### 4. Review and Approval of the Minutes (2/25/15 meeting)

Tim McMonagle motioned to approve the minutes from the February 25, 2015 meeting, as written; Sunny Simon seconded. The minutes were unanimously approved.

### 5. Old Business

It was noted for the record that Brandon Cox was in attendance.

#### a. Proposed Substitute – O2014-0031

Mike King reviewed changes made in the Ordinance since the last meeting. He noted that the legislation is currently before the County Council Operations and Intergovernmental Relations Committee. The first revision gives the Board the discretion to modify the expiration date of an individual vendor's debarment period, and places a five year limit on any debarment period. The second revision provides vendors with an additional 30 days, from the appeal deadline, to submit evidence to the Board that was not included in the Inspector General's (IG) investigation.

Sunny Simon recommended that the Ordinance also provide for vendor review of the evidence gathered by the Inspector General. Board members discussed the merits of Councilwoman Simon's recommendation. It was acknowledged by several members that the Inspector General may be legally prohibited from disclosing certain types of evidence. Evan Byron noted that a significant number of vendors who receive notice of potential debarment do not appeal the decision. He therefore recommended that, in the interest of cost savings and efficiency, the IG's evidence be provided to vendors "upon request," as opposed to routine inclusion with the notice of potential debarment.

Mike King summarized the Council review process and timeline for adoption of the Ordinance.

Board members unanimously agreed to revise the ordinance, incorporating a provision that, upon request from a vendor, requires the IG to provide all evidence reviewed, unless otherwise prohibited by law.

b. Rules of Procedure

Evan Byron provided an update on the draft Debarment Review Board Rules of Procedure. He informed members that he would have the draft complete in time for review at the next meeting. Mike King described the approval process for the Board's rules.

6. Miscellaneous Business

There was no further business.

7. Adjournment

Judge McMonagle motioned to adjourn; Sunny Simon seconded. The motion to adjourn was unanimously approved at 2:45 PM.