



AGENDA
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**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE SEPTEMBER 3, 2013 MEETING**
- 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.
 - 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.
- 6. DISCUSSION**
 - a) Update regarding contract with Proware and e-filing of court documents

- 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, SEPTEMBER 3, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

1. CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:00 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE AUGUST 27, 2013 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the August 27, 2013 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0193: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety

Answering Point consolidation support for the period 9/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Norberto Colon, Deputy Chief of Staff for Justice, addressed the Committee regarding Resolution No. R2013-0193. Discussion ensued.

Committee members asked questions of Mr. Colon pertaining to the item, which he answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2013-0193 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

b) R2013-0194: A Resolution authorizing a Master Services Agreement with The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for various services for various time periods; 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:

- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
- 2) in the amount not-to-exceed \$2,430,991.84 for toxicology services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
- 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.
- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

Mr. David Merriman, Deputy Chief of Staff of Health and Human Services; Mr. John Kucmanic, Laboratory Directory; Mr. John Perterca, Manager of the Adult Probation Department; Ms. Karen Lippman, Deputy Director of Juvenile Court; Mr. Michael King, Assistant Law Director; and Ms. Tracy Brichacek, Senior Social Services Manager; and Ms. Anne Hill, Manager of Local Government and Community Relations for The MetroHealth

System, addressed the Committee regarding Resolution No. R2013-0194. Discussion ensued.

Committee members asked questions of Mr. Merriman, Mr. Kucmanic, Mr. Perterca, Ms. Lippman, Mr. King, Ms. Brichacek and Ms. Hill pertaining to the item, which they answered accordingly.

A motion was made by Mr. Gallagher, seconded by Ms. Conwell and approved by unanimous vote to delete "*toxicology*" and insert "*medical*" in the first whereas clause.

A motion was then made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to delete "*toxicology*" and insert "*medical*" in Section 1.

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2013-0194 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Gallagher adjourned the meeting at 1:58 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0185

Sponsored by: Councilmembers Connally and Gallagher	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.
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WHEREAS, Cuyahoga County has engaged in various efforts over the years in which multiple public systems and stakeholders have worked to collaborate and better coordinate so as to ensure that the Cuyahoga County criminal justice system is providing a fair, transparent, and accountable system of criminal justice, one that promotes the safety of Cuyahoga County citizens as well as protects the constitutional rights of those accused of crimes; and

WHEREAS, concerns have arisen about the efficacy of the justice system reform efforts, such that the 2012-2013 Charter Review Commission recommended a Cuyahoga County Charter amendment calling for a comprehensive “justice system audit” conducted by an external reviewer every five years; and,

WHEREAS, Council is concerned about the wisdom of recommending that such a comprehensive audit be enshrined in the Charter, because of, among other things, the lack of a definition of “justice system,” the potential costs of such an audit, and the constitutionality of some aspects of the proposed charter amendment; and

WHEREAS, Council affirms the validity of some of the questions raised about the efficacy of the justice system reform efforts, and desires to ensure that those responsible for providing a fair, transparent, and accountable criminal justice system in Cuyahoga County are doing so in a spirit of good faith and good government; and

WHEREAS, Council recognizes that the Cuyahoga County Common Pleas Court, General Division, Criminal Docket and the Cuyahoga County Juvenile Court (“the Courts”) are indispensable partners in the administration of criminal justice in Cuyahoga County and are directly responsible to the Ohio Supreme Court for carrying out their constitutional duties, including providing multiple reports and statistics pertaining to their duties; and

WHEREAS, Cuyahoga County desires to promote continued justice system reform efforts, utilizing existing reports and analyses, including the Court's reports, and seeking other information from the courts and from other justice system partners in the context of the promotion a fair, transparent, and accountable system of criminal justice in Cuyahoga County, and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the efficient and effective operation of the County Criminal Justice System.

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

SECTION 1. That the Department of Public Safety and Justice Affairs, the Sheriff's Department, the Office of the Clerk of Courts and the Office of the Prosecutor are hereby directed to work with the Department of Internal Auditing to develop a plan to review the Cuyahoga County "criminal justice system," such plan to be completed and reported out to Council within six months of the enactment of this Resolution.

SECTION 2: That the plan shall include, but not be limited to:

- a. Identification of all of the partners directly involved with the administration of criminal justice in Cuyahoga County;
- b. Determination of what information may be necessary to conduct a comprehensive review of the criminal justice system.
- c. Recommendations about whether the Department of Internal Audit has the capacity to conduct such a review; or whether the review should be completed by an outside reviewer.
- d. Preliminary estimates of the cost of such a review.
- e. Any other recommendations deemed necessary for Council's determination to proceed with the review.

SECTION 3: That the departments and offices charged with developing the plan to review the Cuyahoga County criminal justice system shall consult with existing bodies in Cuyahoga County, including the Courts and the "Justice System Reform Governing Board," and shall utilize existing data, statistics, and reports prepared by the partners involved with the administration of the criminal justice in Cuyahoga County to determine what additional information may be necessary to conduct the review.

SECTION 4: That the departments and offices charged with developing the plan and any other County office, department or agency created by or specifically recognized in the Charter of Cuyahoga County and directly involved with the

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:

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

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.

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