



COMMISSIONERS
Jimmy Dimora
Timothy F. Hagan
Peter Lawson Jones

AGENDA ACTIONS

March 16, 2010

The regular meeting of the Cuyahoga Board of County Commissioners was called to order at 10:20 a.m. Commissioners Jimmy Dimora, Timothy F. Hagan and Peter Lawson Jones were in attendance.

The March 16th meeting resulted in the following actions:

1. Clerk of the Board, certifying and submitting the electronic record of proceedings from the 3/11/2010 meeting, in accordance with Ohio Revised Code Section 305.11.

Considered and adopted by unanimous vote.

INFRASTRUCTURE & DEVELOPMENT

2. County Engineer, recommending to accept replacement of Cannon Road Bridge No. 140 over a branch of Tinker's Creek in the City of Solon as complete and in accordance with plans and specifications.

Considered and adopted by unanimous vote.

3. County Engineer, recommending to accept replacement of Warrensville Center Road Bridge No. 205 over the Norfolk Southern Railroad in the City of Warrensville Heights as complete and in accordance with plans and specifications.

Considered and adopted by unanimous vote.

4. County Engineer, requesting authority to seek proposals from various consultant engineering firms for construction inspection and construction material testing services for various projects:
 - a) Highland Road Bridges No. 156, 157, 158 and 226 over Euclid Creek in the City of Euclid.
 - b) Royalton Road from West 130th Street to York Road in the City of North Royalton.

Considered and adopted by unanimous vote.

5. County Engineer, requesting authority to enter into an agreement with Ohio Department of Transportation for purchase of sodium chloride (rock salt) for the 2010 - 2011 winter season, in accordance with Ohio Revised Code Section 5513.01(B).

Considered and adopted by unanimous vote.

6. County Engineer/Sanitary Engineering Division, recommending to amend Resolution No. 095058 dated 12/10/2009, which made an award on RQ15193 in the amount of \$168,750.00 for sludge removal from various wastewater treatment plants for the period 1/1/2010 - 12/31/2011, by changing the name of the vendor from AKE Environmental & Conservation Services, Inc. to AKE Environmental and Construction Services, Inc.

Considered and adopted by unanimous vote.

7. Department of Development, recommending to consent to the change in the structure of the borrower in connection with an economic development loan from a partnership to a corporation and to change the name of the borrower from Marshall-Magnate Building, Ltd. to Marshall-Magnate Building, LLC; recommending a second amendment to the loan agreement and a subordination agreement; and requesting authority for the County Administrator or Director to execute all documents required in connection with said loan amendment and subordination.

Considered and adopted by unanimous vote.

ADMINISTRATION & FINANCE

8. Department of Workforce Development, requesting authority to prepare an amendment to Contract No. CE0700658-01 with Westside Industrial Retention & Expansion Network dba WIRE-NET for outreach, recruitment and job placement services for the Manufacturing Access to Growth and Innovation in Cuyahoga County and Northeast Ohio Project for the period 6/1/2007 - 12/31/2009 to extend the time period to 9/30/2010, to change the scope of services, effective 1/1/2010, and for additional funds in the amount of \$220,000.00.

Considered and adopted by unanimous vote.

9. Department of Central Services, recommending to reject all bids received on RQ15222 for purchase and installation of the Courtroom Digital Audio Recording System for the Cuyahoga County Juvenile Justice Center Project.

Considered and adopted by unanimous vote.

10. Department of Central Services,
 - a) submitting recommendations of various firms for architectural and engineering services for design and management of the Elevator Modernization Project, located at the Board of Elections, 2925 Euclid Avenue, Cleveland.

- b) requesting the Board to rank said firms in order of qualifications for said services. (Resolution No. 094644 - authority to seek qualifications.)
- c) requesting authority to negotiate a contract with the firm(s) most qualified to perform said services, in accordance with Ohio Revised Code Section 153.69.

The Board ranked the firms in order of qualifications for said services as follows:

- 1. The Osborn Engineering Company**
- 2. HWH Architects-Engineers-Planners Inc.**
- 3. Fogle/Stenzel, Architects, Inc.**

Considered and adopted by unanimous vote.

11. Office of Procurement & Diversity, recommending to declare various property as surplus County property no longer needed for public use; recommending to sell said property via internet auction, in accordance with Ohio Revised Code Section 307.12(E).

Considered and adopted by unanimous vote.

JUSTICE SERVICES

12. County Prosecutor, recommending to employ the law firm of Richard C. Alkire Co., LPA, in the amount not-to-exceed \$1,814.29 for legal services in connection with a Complaint filed with Disciplinary Counsel against Judge Daniel Gaul by Lorenzo Collins, in accordance with Ohio Revised Code Section 305.14.

Considered and adopted by unanimous vote.

13. County Prosecutor, recommending to employ the law firm of Richard C. Alkire Co., LPA, in the amount not-to-exceed \$5,000.00 for legal services in connection with a Complaint filed with Disciplinary Counsel against Judge Daniel Gaul by Sami Farraj, in accordance with Ohio Revised Code Section 305.14.

Considered and adopted by unanimous vote.

14. County Prosecutor, recommending to employ the law firm of Thompson Hine, LLP, as Special Prosecutor in the amount not-to-exceed \$22,500.00 for legal services in connection with Cuyahoga County Common Pleas Court Case No. CR-08-512541, State of Ohio vs. Ean Farrow and Thomas J. Ray, III, in accordance with Ohio Revised Code Section 305.14.

Considered and adopted by unanimous vote.

15. County Prosecutor, recommending to employ Timothy B. Miller, Esq., as Special Prosecutor in the amount not-to-exceed \$22,500.00 for legal services in connection with Cuyahoga County Common Pleas Court Case No. CR-08-512541, State of Ohio vs. Ean Farrow and Thomas J. Ray, III, in accordance with Ohio Revised Code Section 305.14.

Considered and adopted by unanimous vote.

16. County Prosecutor, recommending to employ the law firm of Walsh & Monaghan, LLP, in the amount not-to-exceed \$15,000.00 for legal services in connection with U.S. District Court, District of Vermont, Case No. 2:10-CV-00014, Robert Grundstein vs. Gerald T. McFaul, et al., in accordance with Ohio Revised Code Section 305.14.

Considered and adopted by unanimous vote.

An additional item, not on the printed agenda, was offered for consideration:

County Prosecutor, submitting a settlement agreement and mutual release of claims in connection with Franklin County Common Pleas Court Case No. 08CVH05-7841, Premier Election Solutions, Inc., et al. vs. Board of Elections of Cuyahoga County, et al.; requesting authority for the County Administrator to execute said settlement agreement and release.

This item was considered and adopted by majority vote, with Commissioner Dimora casting a dissenting vote.

17. Domestic Relations Court, requesting authority to prepare an amendment to Contract No. CE0800399-01 with Court Community Service for placement services for the period 6/1/2008 - 12/31/2009 to extend the time period to 12/31/2011 and for additional funds in the amount not-to-exceed \$7,000.00. Considered and adopted by unanimous vote.

Considered and adopted by unanimous vote.

PUBLIC PRESENTATION/DISCUSSION

- None scheduled.

COMMISSIONERS' ROUNDTABLE

- None scheduled.

EXECUTIVE SESSION

- Personnel, litigation and land transactions.

With no further business to be brought before the Board, the meeting was adjourned at 11:09 a.m.

A digital recording of the meeting, in its entirety, is available for review in the Office of the Clerk of the Board, 1219 Ontario Street, Room 435, Cleveland, Ohio 44113.

A copy of the recording is available for purchase.

The agenda and related documents (meeting schedule, rules for public comment, agenda actions, official resolutions, etc.) are available on our website at www.cuyahogacounty.us.