



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MAY 29, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
3:00 PM**

1. CALL TO ORDER

Council Vice-President Jones called the meeting to order at 3:06 p.m.

2. ROLL CALL

Council Vice-President Jones asked Clerk Schmotzer to call the roll. Councilmembers Simon, Baker, Miller, Tuma, Gallagher, Conwell, Jones, Brown and Houser were in attendance and a quorum was determined. Councilmembers Brady and Schron were absent from the meeting.

A motion was then made by Mr. Miller, seconded by Ms. Brown and approved by unanimous vote to excuse Mr. Brady and Mr. Schron from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council Vice-President Jones requested a moment of silent meditation in observance of Memorial Day and in honor of those who have served our Country.

5. PUBLIC COMMENT

There were no public comments given.

6. APPROVAL OF MINUTES

- a) May 15, 2018 Committee of the Whole Meeting
- b) May 15, 2018 Regular Meeting

A motion was made by Ms. Conwell, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the May 15, 2018 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL VICE-PRESIDENT

Council Vice-President Jones congratulated the Cleveland Cavaliers for winning the NBA Eastern Conference Title and wished them well as they continue on to play in the 2018 NBA finals.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that this was the first day of the Division of Children and Family Services “listening tour”. This is an effort to better educate the community about the work of DCFS and is also designed to provide a better service from us to the community by listening to the concerns and suggestions that the community may have. He thanked Councilmembers Miller and Jones for attending and participating and said that five additional “listening tour” events will be held in the next month and welcomes the participation of any other Councilmembers.

9. RECEIPT OF DOCUMENT SUBMITTED TO COUNCIL

- a) Cuyahoga County Veterans Service Commission 2019 Tax Budget

Council Vice-President Jones noted that the Cuyahoga County Veterans Service Commission submitted its 2019 Tax Budget in accordance with the Ohio Revised Code.

10. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2018-0095.

- 1) R2018-0095: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and

declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Brown on behalf of Cuyahoga County Personnel Review Commission

Committee Assignment and Chair: Human Resources, Appointments & Equity – Brown

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2018-0095 was considered and adopted by unanimous vote.

b) CONSIDERATION OF ORDINANCES OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2018-0005: An Ordinance amending Title 7 of the Cuyahoga County Code to clarify requirements regarding the use of casino tax revenue and update programs funded by such revenue, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Council President Brady and Councilmember Miller

On a motion by Ms. Simon with a second by Mr. Miller, Ordinance No. O2018-0005 was considered and adopted by unanimous vote.

- 2) O2018-0006: An Ordinance amending Section 804.01(C)(2) of the Cuyahoga County Code to increase the maximum amount of individual one-year renewable scholarships from \$1,500.00 to \$1,750.00, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Simon, Houser, Miller, **Conwell, Brown and Tuma**

On a motion by Mr. Jones with a second by Mr. Miller, Ordinance No. O2018-0006 was considered and adopted by unanimous vote.

11. LEGISLATION INTRODUCED BY EXECUTIVE

- a) CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2018-0113.

- 1) R2018-0113: A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; amending Resolution Nos. R2018-0003 dated 1/9/2018, R2018-0021 dated 2/13/2018, R2018-0068 dated 3/27/2018 and R2018-0088 dated 4/24/2018 to reconcile appropriations for 2018; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget & Management

Mr. Miller introduced a proposed substitute on the floor to Resolution No. R2018-0113. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to accept the proposed substitute.

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2018-0113 was considered and adopted by unanimous vote, as substituted.

- b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2018-0114: A Resolution authorizing an amendment to a revenue generating lease agreement with Eaton Corporation for lease of land and a hangar facility located at 26340 Curtiss Wright Parkway, Richmond Heights, for the period 6/1/2003 - 5/31/2018 to exercise an option to extend the time period to 5/31/2023 and to change the terms, effective 6/1/2018; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council Vice-President Jones referred Resolution No. R2018-0114 to the Public Works, Procurement & Contracting Committee.

- 2) R2018-0115: A Resolution authorizing an amendment to Contract No. CE1700088-01 with Level 3 Communications, LLC for lease of parking spaces located at 4000 Euclid Avenue, Cleveland, for the period 4/1/2017 - 6/30/2018, to extend the time period to 6/30/2023, to change the terms, effective 7/1/2018, and for additional funds in the amount not-to-exceed \$150,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council Vice-President Jones referred Resolution No. R2018-0115 to the Public Works, Procurement & Contracting Committee.

- 3) R2018-0116: A Resolution declaring that public convenience and welfare requires emergency repair of Bagley Road Culvert C-07.26 over Lake Abrams Ditch in the City of Middleburg Heights; total estimated project cost \$420,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Work/Division of County Engineer

Council Vice-President Jones referred Resolution No. R2018-0116 to the Public Works, Procurement & Contracting Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2018-0098: A Resolution authorizing the County Executive to accept dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel Nos. 736-29-042, 736-29-043 and 736-13-057, located in the City of Shaker Heights as a public street; authorizing the County Executive to

execute the final Plat in connection with said dedication; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works **and Councilmember Brown**

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0098 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 2) R2018-0099: A Resolution declaring that public convenience and welfare requires resurfacing York Road from Pearl Road to Pleasant Valley Road in the Cities of Parma and Parma Heights; total estimated project cost \$3,420,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmember Tuma

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0099 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 3) R2018-0100: A Resolution declaring that public convenience and welfare requires resurfacing East 131st Street from Miles Road to Forestdale Drive in the Cities of Cleveland and Garfield Heights; total estimated project cost \$1,940,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in

connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmembers Jones and Conwell

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0100 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 4) R2018-0101: A Resolution declaring that public convenience and welfare requires resurfacing Mastick Road from the Fairview Park West Corporation Line to Eaton Road in the City of Fairview Park; total estimated project cost \$1,690,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmember Baker

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0101 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 5) R2018-0102: A Resolution declaring that public convenience and welfare requires resurfacing Hilliard Boulevard from River Oaks Drive to Lakeview Avenue in the City of Rocky River; total estimated project cost \$1,600,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said

project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmember Baker

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0102 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 6) R2018-0103: A Resolution declaring that public convenience and welfare requires resurfacing Sprague Road from Broadview Road to the Broadview Heights/Seven Hills East Corporation Line in the Cities of Broadview Heights and Seven Hills; total estimated project cost \$1,310,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmember Schron

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0103 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 7) R2018-0104: A Resolution declaring that public convenience and welfare requires resurfacing of an avenue and a road located in the City of Cleveland in connection with the 2019 Operations Resurfacing Program; total estimated project cost \$1,210,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to

enter into an agreement of cooperation with said municipality in connection with said projects; and declaring the necessity that this Resolution become immediately effective:

- i) Shaw Avenue from St. Clair Avenue to the Cleveland East Corporation Line.
- ii) Eddy Road from Gray Avenue to Arlington Avenue.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmembers Houser and Conwell

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0104 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 8) R2018-0105: A Resolution declaring that public convenience and welfare requires resurfacing Cedar Road from S.O.M. Center Road to Woodstock Road in the Villages of Gates Mills and Hunting Valley; total estimated project cost \$1,200,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works/Division of County Engineer

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

Clerk Schmotzer read Resolution No. R2018-0105 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- 9) R2018-0110: A Resolution authorizing an amendment to Contract No. CE1600242-01 with United Labor Agency, Inc. for operation of the Workforce Service Center, job seekers and employer services, and management of the On-the-Job Training Program in connection with the Workforce Innovation and Opportunity Act for the period 7/1/2016 - 6/30/2018 to extend the time period to 6/30/2019 and for additional funds in the amount not-to-exceed \$2,527,776.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Workforce Development in partnership with City of Cleveland/Cuyahoga County Workforce Development Board

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

Clerk Schmotzer read Resolution No. R2018-0110 into the record.

This item will move to the June 12, 2018 Council meeting agenda for consideration for third reading adoption.

- d) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2018-0097, R2018-0106, R2018-0107, R2018-0108, R2018-0109, R2018-0111 and R2018-0112.

- 1) R2018-0097: A Resolution confirming the County Executive's reappointment of various individuals to serve on the District One Public Works Integrating Committee for the term 6/22/2018 - 6/21/2021; confirming the reappointment of various alternates; and declaring the necessity that this Resolution become immediately effective:

i) Reappointments:

- a. Michael W. Dever
- b. David E. Marquard

ii) Reappointments as alternate:

- a. Nichole L. English to Michael W. Dever
- b. Christopher A. George to David E. Marquard

Sponsor: County Executive Budish

Committee Assignment and Chair: Human Resources,
Appointments & Equity – Brown

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2018-0097 was considered and adopted by unanimous vote.

- 2) R2018-0106: A Resolution making an award on RQ41613 to Kokosing Construction Company, Inc. in the amount not-to-exceed \$1,251,754.00 for resurfacing Wallings Road from Broadview Road to the Broadview Heights East Corporation Line in the City of Broadview Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$125,175.40 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works/Division of County Engineer

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0106 was considered and adopted by unanimous vote.

- 3) R2018-0107: A Resolution making an award on RQ42348 to Catts Construction, Inc. in the amount not-to-exceed \$2,929,031.90 for resurfacing Pleasant Valley Road from State Road to Broadview Road in the City of Parma; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmember Tuma

Committee Assignment and Chair: Public Works, Procurement & Contracting – Tuma

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0107 was considered and adopted by unanimous vote.

- 4) R2018-0108: A Resolution authorizing an agreement with The MetroHealth System in the amount not-to-exceed \$1,800,000.00 for the MetroHealth Select Network health benefit plan for County employees and their eligible dependents for the period 1/1/2016 - 12/31/2018; 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.

Sponsors: County Executive Budish/Department of Human Resources and Councilmember Conwell

Committee Assignment and Chair: Human Resources, Appointments & Equity – Brown

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2018-0108 was considered and adopted by unanimous vote.

- 5) R2018-0109: A Resolution authorizing amendments to various bank depository agreements for public funds designating eligible institutions as public depositories of active and interim funds of Cuyahoga County for the period 8/24/2013 - 8/23/2017 to extend the time period to 8/23/2021 and to pay any fees in the total amount not-to-exceed \$1,411,000.00 that are customary or normally charged in the course of doing business by various institutions, effective 7/14/2017, in accordance with the Uniform Depository Act of Ohio; authorizing the County Executive and/or County Treasurer to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) First Federal of Lakewood in the deposit limit amount not-to-exceed \$6,000,000.00.

- ii) KeyBank National Association in the deposit limit amount not-to-exceed \$700,000,000.00.
- iii) PNC Bank, National Association in the deposit limit amount not-to-exceed \$600,000,000.00.
- iv) U.S. Bank, N.A. in the deposit limit amount not-to-exceed \$137,073,061.80.

Sponsor: County Executive Budish/County Treasurer

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2018-0109 was considered and adopted by majority vote, with Ms. Conwell casting the only dissenting vote.

- 6) R2018-0111: A Resolution authorizing an amendment to Contract No. CE1700127-01 with OhioGuidestone for community-based treatment center management services for the period 7/1/2017 - 6/30/2018 to extend the time period to 6/30/2019, to change the scope of services, effective 7/1/2018, and for additional funds in the amount not-to-exceed \$1,100,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2018-0111 was considered and adopted by unanimous vote.

- 7) R2018-0112: A Resolution authorizing an amendment to Contract No. CE1700360-01 with Applewood Centers, Inc. for secure residential treatment services for the period 1/1/2018 - 6/30/2018 to extend the time period to 6/30/2019 and for additional funds in the amount not-to-exceed \$952,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and

declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2018-0112 was considered and adopted by unanimous vote.

e) CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2018-0007: An Ordinance enacting Section 205.10 of the Cuyahoga County Code to establish the Division of Children and Family Services Advisory Board, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish

Council Vice-President Jones referred Ordinance No. O2018-0007 to the Health, Human Services & Aging Committee.

- 2) O2018-0008: An Ordinance amending Section 9.07 of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual and approving certain straight time cash payments in lieu of exchange time for hours worked in excess of forty in a work week in the total amount not-to-exceed \$85,529.59 for sexennial and triennial real estate assessments for the period 4/29/2018 - 7/27/2018, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer and Department of Human Resources

Council Vice-President Jones referred Ordinance No. O2018-0008 to the Human Resources, Appointments & Equity Committee.

12. MISCELLANEOUS COMMITTEE REPORTS

Council Vice-President Jones reported that there will be a presentation on Closing the Achievement Gap (CTAG) Students of Promise Program during the Education,

Environment & Sustainability Committee meeting scheduled for Monday, June 4, 2018 at 10:00 a.m.

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, June 5, 2018 at 10:00 a.m.

Mr. Gallagher reported that the Public Safety & Justice Affairs Committee will meet on Tuesday, June 5, 2018 at 1:00 p.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, June 6, 2018 at 10:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, June 18, 2018 at 1:00 p.m.

13. MISCELLANEOUS BUSINESS

Thee was no miscellaneous business.

14. ADJOURNMENT

With no further business to discuss, Council Vice-President Jones adjourned the meeting at 3:37 p.m., without objection.