



MINUTES

CUYAHOGA COUNTY COUNCIL REMOTE* REGULAR MEETING
TUESDAY, OCTOBER 13, 2020

2:00 PM

*Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed for public meetings at this time. As this meeting is being conducted remotely, in accordance with HB 197, interested persons may access the meeting via livestream by using the following link:
<https://www.youtube.com/CuyahogaCounty>

**Public comment for this meeting may be submitted in writing via email to the Clerk of Council at jschmotzer@cuyahogacounty.us no later than 1:00 p.m. on Tuesday, October 13, 2020

1. CALL TO ORDER

Council President Brady called the meeting to order at 2:17 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

4. SILENT MEDITATION

Council President Brady requested a moment of silent meditation in memory of Councilmember Jones' father, Pernel Jones, Sr., who recently passed away.

5. PUBLIC COMMENT**

Mr. Larry Heller submitted public comment via email regarding Resolution No. R2020-0219, a Resolution approving a proposed settlement in the matter of Janet Lowder v. Cuyahoga County, et al., United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-CV-02873.

Ms. Loh submitted public comment via email regarding the Women's Shelter and COVID-19.

6. APPROVAL OF MINUTES

- a) September 29, 2020 Committee of the Whole Meeting
- b) September 29, 2020 Regular Meeting

A motion was made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to approve the minutes from the September 29, 2020 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

- a) Proclamation to commemorate October as Disability Employment Awareness Month in Cuyahoga County

In commemoration of Disability Employment Awareness Month, Council President Brady asked Clerk Schmotzer to read the Proclamation. Clerk Schmotzer then read the Proclamation into the record.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish updated Council on various Board of Elections statistics relating to early voting.

9. LEGISLATION INTRODUCED BY COUNCIL

- a) CONSIDERATION OF RESOLUTIONS OF COUNCIL 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. R2020-0214.

- 1) R2020-0214: A Resolution providing for the appointment of Andria Richardson as Clerk of Council to serve the Council of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President/Chief of Staff

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2020-0214 was considered and adopted by unanimous vote.

- 2) R2020-0215: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Service Employees International Union, District 1199, WV/KY/OH, The Health Care and Social Services Union, representing approximately 225 employees in various classifications in Support Administration for the period 1/1/2018 - 12/31/2020 to extend the time period to 12/31/2021 and to modify Article 20B: Documentation Standard and Article 34: Wages; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of Cuyahoga County Board of Developmental Disabilities

Clerk Schmotzer read Resolution No. R2020-0215 into the record. No further legislative action was taken by Council.

- b) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2020-0216: A Resolution authorizing an amendment to that certain Casino Revenue Fund Loan Agreement in the amount of \$4,000,000.00 by and between City of Euclid, as borrower, and County of Cuyahoga, Ohio, as lender, dated 9/10/2018, as authorized by Resolution No. R2015-0171 dated 11/10/2015, which amendment reduces the interest rate of said loan; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Simon

Council President Brady referred Resolution No. R2020-0216 to the Community Development Committee.

- c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- 1) R2020-0209: 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 Personnel Review Commission

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

Clerk Schmotzer read Resolution No. R2020-0209 into the record.

This item will move to the October 27, 2020 Council meeting agenda for consideration for third reading adoption.

d) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING ADOPTION

- 1) R2020-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in the Big Creek-Stickney Creek Greenway in the Cities of Brooklyn and Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission and Councilmember Stephens

On a motion by Ms. Simon with a second by Ms. Stephens, Resolution No. R2020-0170 was considered and adopted by unanimous vote.

- 2) R2020-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for conservation of ecologically significant areas in Garden of Eleven Angels in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission and Councilmembers Jones, Stephens **and Conwell**

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2020-0171 was considered and adopted by unanimous vote.

- 3) R2020-0173: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in West Creek Greenway Expansion in the City of Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission and Councilmember Stephens

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2020-0173 was considered and adopted by unanimous vote.

10. LEGISLATION INTRODUCED BY EXECUTIVE

- a) CONSIDERATION OF RESOLUTIONS 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 Nos. R2020-0217, R2020-0218, R2020-0219 and R2020-0220.

- 1) R2020-0217: A Resolution amending the 2020/2021 Biennial Operating Budget for 2020 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, to meet the budgetary needs of various County departments, offices and agencies; amending Resolution No. R2020-0174 dated 9/15/2020 to reconcile appropriations for 2020; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2020-0217 was considered and adopted by unanimous vote.

- 2) R2020-0218: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax

levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

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

Mr. Miller introduced a proposed substitute to Resolution No. R2020-0218. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to substitute Resolution No. R2020-0218.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2020-0218 was considered and adopted by unanimous vote, as substituted.

- 3) R2020-0219: A Resolution approving a proposed settlement in the matter of Janet Lowder v. Cuyahoga County, et al., United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-CV-02873; authorizing the County Executive and/or his designee to execute the settlement agreement and any related documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Law

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2020-0219 was considered and adopted by unanimous vote.

- 4) R2020-0220: A Resolution approving a Memorandum of Understanding regarding the use of Corrections Canine Officers at Cuyahoga County Correctional Facilities between Cuyahoga County and Ohio Patrolmen's Benevolent Association, representing approximately 665 employees in the classification of Corrections Officer at the Sheriff's Department; directing that funds necessary to implement the Memorandum of Understanding be budgeted and appropriated; authorizing the County Executive to execute the Memorandum of Understanding regarding the use of Corrections Canine Officers at Cuyahoga County Correctional Facilities and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Law and County Sheriff

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2020-0220 was considered and adopted by unanimous vote.

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

- 1) R2020-0221: A Resolution confirming the County Executive's appointment of Chief Michael Cannon to serve on the Cuyahoga County Corrections Planning Board for an unexpired term ending 1/1/2022, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2020-0221 to the Human Resources, Appointments & Equity Committee.

- 2) R2020-0222: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for the term 10/28/2020 - 10/27/2023, and declaring the necessity that this Resolution become immediately effective:

i) Appointments:

- a) Billy B. Gayheart, Jr.
- b) Dearius Houston
- c) Tracy Lamar Johnson
- d) LeAnder Lovett
- e) Jeff Mazos
- f) Julie Patterson
- g) Faith Ross
- h) William Simpson
- i) Stephanice Washington

ii) Reappointment:

- a) Kimberlin Dennis

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2020-0222 to the Human Resources, Appointments & Equity Committee.

c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2020-0213: A Resolution authorizing an amendment to Contract No. CE1800177-01 with RELX Inc. dba LexisNexis, a division of RELX Inc., for print and online legal research services for various County departments and agencies for the period 1/1/2018 - 12/31/2020 to extend the time period to 12/31/2023 and for additional funds in the amount not-to-exceed \$723,091.20; 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 Law

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2020-0213 into the record.

This item will move to the October 27, 2020 Council meeting agenda for consideration for third reading adoption.

d) CONSIDERATION OF A RESOLUTION 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 Rules 9D and 12A and to place on final passage Resolution No. R2020-0212.

- 1) R2020-0212: A Resolution authorizing an Agreement between Cuyahoga County and Cuyahoga County Court of Common Pleas/Juvenile Division in the amount not-to-exceed \$709,500.00 to provide funding for the Court to pay hazard pay to certain of its employees in accordance with the Coronavirus Relief Fund established by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act for the period 10/16/2020 - 1/8/2021, which agreement has potential collective bargaining implications; 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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2020-0212 was considered and adopted by unanimous vote.

- e) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION 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. R2020-0178.

- 1) R2020-0178: A Resolution confirming the County Executive's appointment of Marielee Santiago to serve on the Cuyahoga County Division of Children and Family Services Advisory Board for an unexpired term ending 2/28/2023, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2020-0178 was considered and adopted by unanimous vote.

- f) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2020-0181: A Resolution authorizing the transfer of real property located at Crocker Road and Schwartz Road, Permanent Parcel No. 216-10-012, to the City of Westlake; authorizing the County Executive to execute the quit claim deed 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

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0181 was considered and adopted by unanimous vote.

g) CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2020-0017: An Ordinance enacting Chapter 726 of the Cuyahoga County Code to establish a Sports Facility Reserve Fund for collecting and expending funds related to sports facilities in which a major league sports team plays its regular season games, and declaring the necessity that this Ordinance become immediately effective.

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

Council President Brady referred Ordinance No. O2020-0017 to the Finance & Budgeting Committee.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Community Development Committee will meet on Monday, October 19, 2020 at 10:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, October 19, 2020 at 1:00 p.m.

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, October 20, 2020 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

Mr. Schron reported that he went to the Board of Elections to vote early. He then gave accolades to the Board of Elections Staff for their efficient operations and safety measures.

13. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 2:46 p.m., without objection.