



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 9, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 5:02 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady requested a moment of silent meditation be dedicated in memory of Councilmember Jones's mother, Anita B. Jones, who recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

6. APPROVAL OF MINUTES

- a) January 26, 2016 Committee of the Whole Meeting

- b) January 26, 2016 Regular Meeting

A motion was made by Mr. Hairston, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the January 26, 2016 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady read a written statement regarding Council operations and Councilmember meeting attendance.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish thanked Councilmember Jones for his work regarding the Disparity Study and announced that legislation associated with the recommendations from the Study are being introduced at today's Council meeting.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2016-0035: 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 Conwell on behalf of Cuyahoga County Personnel Review Commission

Council President Brady referred Resolution No. R2016-0035 to the Human Resources, Appointments & Equity Committee.

- b) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2016-0003.

- 1) O2016-0003: An Ordinance enacting Chapter 307 of the Cuyahoga County Code establishing the compensation for the Members of Council, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Germana

Committee Assignment and Chair: Council Operations &
Intergovernmental Relations – Miller

On a motion by Ms. Conwell with a second by Mr. Germana, Ordinance No. O2016-0003 was considered and adopted by a majority roll-call vote of 7 yeas and 4 nays with Councilmembers Hairston, Miller, Germana, Conwell, Jones, Brown and Brady voting in the affirmative and Councilmembers Simon, Greenspan, Gallagher and Schron casting dissenting votes.

[Clerk's Note: The legislation did not receive the affirmative vote of at least eight members of Council; therefore, it is not effective immediately.]

10. 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 Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2016-0036.

- 1) R2016-0036: A Resolution amending the 2016/2017 Biennial Operating Budget for 2016 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; 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. Greenspan with a second by Mr. Miller, Resolution No. R2016-0036 was considered and adopted by unanimous vote.

- b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE
 - 1) R2016-0037: A Resolution confirming the County Executive's appointment of The Honorable Cyril Kleem to serve on the Cuyahoga County Planning Commission representing the

Southwest Region for an unexpired term ending 12/31/2018, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmember Gallagher

Council President Brady referred Resolution No. R2016-0037 to the Human Resources, Appointments & Equity Committee.

- 2) R2016-0038: A Resolution authorizing the County Executive, on behalf of the County, to enter into a Memorandum of Understanding among City of Cleveland, Construction Employers Association, Hispanic Roundtable, Hard Hatted Women, Urban League of Greater Cleveland, Greater Cleveland Partnership, Cuyahoga Community College, Cleveland Metropolitan School District and Cleveland Building and Construction Trades Council regarding Community Benefits and Inclusion; authorizing the County Executive to execute the Memorandum of Understanding and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

Council President Brady referred Resolution No. R2016-0038 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0039: A Resolution making awards to various municipalities, in the total amount of \$1,486,400.00, for various municipal grant projects for the 2016 Community Development Block Grant Municipal Grant Program for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) City of Berea in the amount not-to-exceed \$150,000.00 for the North Rocky River Drive Corridor Improvement Project.

- ii) City of Fairview Park in the amount not-to-exceed \$136,400.00 for the Sidewalk Improvement Project.
- iii) City of Garfield Heights in the amount not-to-exceed \$150,000.00 for the Dressler Avenue Pavement Resurfacing Project.
- iv) Village of Highland Hills in the amount not-to-exceed \$150,000.00 for the Targeted Beautification Program.
- v) City of Maple Heights in the amount not-to-exceed \$150,000.00 for the Stafford Park Entrance Road Resurfacing Project.
- vi) City of Mayfield Heights in the amount not-to-exceed \$150,000.00 for the West Minor Road Repair and Resurfacing Project.
- vii) Village of Newburgh Heights in the amount not-to-exceed \$150,000.00 for the East 44th Street Reconstruction Project.
- viii) City of Parma Heights in the amount not-to-exceed \$150,000.00 for the Pearl Road Corridor ADA Curb Ramp Replacement Program.
- ix) City of University Heights in the amount not-to-exceed \$150,000.00 for the Cedarbrook Road Resurfacing Project.
- x) Village of Woodmere in the amount not-to-exceed \$150,000.00 for the Brainard Road Improvement Project.

Sponsors: County Executive Budish/Department of Development **and Councilmember Gallagher**

Council President Brady referred Resolution No. R2016-0039 to the Community Development Committee.

- 4) R2016-0040: A Resolution making awards on RQ34757 to various providers for staff secure and secure shelter care services for the period 3/1/2016 - 2/28/2018; authorizing the

County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) Carrington Youth Academy, LLC in the amount not-to-exceed \$2,038,634.00.
- ii) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$588,015.00.

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

Council President Brady referred Resolution No. R2016-0040 to the Public Safety & Justice Affairs Committee.

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

- 1) R2016-0030: A Resolution confirming the County Executive's appointment of Evan T. Byron to serve on the Cuyahoga County Debarment Review Board for the term 2/1/2016 - 1/31/2021, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

Clerk Schmotzer read Resolution No. R2016-0030 into the record.

This item will move to the February 23, 2016 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 Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2015-0279, R2016-0031, R2016-0033 and R2016-0034.

- 1) R2015-0279: A Resolution authorizing various contracts with Sadler-NeCamp Financial Services, Inc. dba PROWARE, in the

total amount not-to-exceed \$13,959,072.00, for general computer system support, software maintenance and support, licensing, training and related services; authorizing the County Executive to negotiate, enter into, and execute the contracts, which include a Master Services Agreement and various Pricing Schedules, each for the period 2/1/2016 - 12/31/2020, and to execute all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Clerk of Courts on behalf of Cuyahoga County Court of Common Pleas/General Division, Cuyahoga County Court of Common Pleas/Probate Division and Cuyahoga County Court of Common Pleas/Domestic Relations Division

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

On a motion by Mr. Gallagher with a second by Ms. Conwell, Resolution No. R2015-0279 was considered and adopted by unanimous vote.

- 2) R2016-0031: A Resolution making an award on RQ35632 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,184,870.00 for the 2016 Sewer Repair Program in various County Sewer Districts for the period 3/1/2016 - 2/28/2018; 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.

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

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0031 was considered and adopted by unanimous vote.

- 3) R2016-0033: A Resolution authorizing an amendment to Contract No. CE1300529-01 with Woods Services, Inc. for residential services for the period 10/1/2013 - 6/30/2015 to extend the time period to 6/30/2016 and for additional funds in the amount not-to-exceed \$575,000.00; 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 Health and Human Services/Division of Children and Family Services

Committee Assignment and Chair: Health, Human Services & Aging – Jones

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2016-0033 was considered and adopted by unanimous vote.

- 4) R2016-0034: A Resolution making awards on RQ34374 to various providers, in the total amount not-to-exceed \$2,541,600.00, for family-centered supportive services for the period 2/1/2016 - 1/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) Beech Brook in the approximate amount of \$581,287.36.
 - ii) Bellefaire Jewish Children's Bureau in the approximate amount of \$269,687.50.
 - iii) Catholic Charities Corporation in the approximate amount of \$286,354.16.
 - iv) Mental Health Services for Homeless Persons, Inc. in the approximate amount of \$16,666.66.
 - v) OhioGuidestone in the approximate amount of \$498,854.16.
 - vi) Ohio Mentor, Inc. in the approximate amount of \$229,687.50.
 - vii) Specialized Alternatives for Families and Youth of Ohio, Inc. in the approximate amount of \$144,687.50.

- viii) The Bair Foundation in the approximate amount of \$269,687.50.
- ix) The Cleveland Christian Home Incorporated in the approximate amount of \$244,687.66.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services **and Councilmember Hairston**

Committee Assignment and Chair: Health, Human Services & Aging – Jones

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2016-0034 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0009: A Resolution making an award on RQ35411 to C & K Industrial Services, Inc. in the amount not-to-exceed \$2,071,670.00 for cleaning, televising and maintaining sanitary and storm sewer systems in various municipalities for the period 1/1/2016 - 12/31/2018; 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.

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0009 was considered and adopted by unanimous vote.

- 2) R2016-0011: A Resolution making an award on RQ35678 to Neighborhood Housing Services of Greater Cleveland, Inc. in the amount not-to-exceed \$599,888.00 for administration of the Cuyahoga County Down Payment Assistance Program in Cuyahoga Urban County Communities and City of Parma for the period 3/1/2016 - 2/28/2017; 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 Development **and Councilmember Germana**

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0011 was considered and adopted by unanimous vote.

- 3) R2016-0012: A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$3,000,000.00 to Victory Midtown, LLC for the benefit of a project located at Victory Center, 7012 Euclid Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmember Conwell**

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0012 was considered and adopted by unanimous vote.

- 4) R2016-0013: A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to HEC Properties LLC for the benefit of a project located at 2700 East 55th Street, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmember Conwell**

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0013 was considered and adopted by unanimous vote.

- 5) R2016-0015: A Resolution authorizing an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$2,000,000.00 to W25d, LLC for the benefit of a project located at various corners of West 25th Street and Detroit Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmember Conwell**

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0015 was considered and adopted by unanimous vote.

- 6) R2016-0018: A Resolution making an award on RQ35635 to W.B. Mason Co., Inc. in the amount not-to-exceed \$1,710,000.00 for general office supplies and related services for various County departments for the period 4/1/2016 - 3/31/2018; 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.

Sponsor: County Executive Budish/Fiscal Officer/Office of Procurement and Diversity

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2016-0018 was considered and adopted by unanimous vote.

- f) CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2016-0004: An Ordinance enacting Sections 503.01(A) to 503.01(D) of the Cuyahoga County Code to expand the Small Business Enterprise Program to Allow Small Business Set Asides, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

Council President Brady referred Ordinance No. O2016-0004 to the Public Works, Procurement & Contracting Committee.

- 2) O2016-0005: An Ordinance enacting Sections 503.02 to 503.07 of the Cuyahoga County Code to expand the Small Business Enterprise Program; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

Council President Brady referred Ordinance No. O2016-0005 to the Public Works, Procurement & Contracting Committee.

- 3) O2016-0006: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's Risk Management procedures and performance bond and insurance requirements, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Department of Law and Councilmembers Brady, Brown, Conwell, Hairston and Jones

Council President Brady referred Ordinance No. O2016-0006 to the Public Works, Procurement & Contracting Committee.

- 4) O2016-0007: An Ordinance enacting Chapter 510 of the Cuyahoga County Code to establish the Cuyahoga County Business Economic Inclusion Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

Council President Brady referred Ordinance No. O2016-0007 to the Public Works, Procurement & Contracting Committee.

11. MISCELLANEOUS COMMITTEE REPORTS

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, February 16, 2016 at 10:00 a.m.

Mr. Gallagher reported that the Public Safety & Justice Affairs Committee will meet on Tuesday, February 16, 2016 at 1:00 p.m.

Mr. Miller reported that the Council Operations & Intergovernmental Relations Committee will meet on Tuesday, February 16, 2016 at 3:00 p.m. and that the Public Works, Procurement & Contracting Committee will meet on Wednesday, February 17, 2016 at 10:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, February 17, 2016 at 1:00 p.m.

Mr. Hairston reported that the Community Development Committee will meet on Wednesday, February 17, 2016 at 9:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee met on Wednesday, February 3, 2016 to discuss dredging issues relating to the Cuyahoga River.

12. MISCELLANEOUS BUSINESS

Mr. Jones thanked the County Executive, Council and Lenora Lockett, Director of the Office of Procurement and Diversity, for their work on the Disparity Study. He also thanked everyone who showed support to him and his family after the passing of his mother.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Sabrina Otis addressed Council regarding issues relating to domestic violence.

Mr. Rico Dancy addressed Council regarding issues relating to the deaf and hard of hearing.

Rev. Pamela Pinkney Butts addressed Council regarding issues relating to her well-being.

Ms. Stephanie Thornton addressed Council regarding issues relating to her employment concerns at the Old Brooklyn Neighborhood Family Services Center.

14. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Hairston with a second by Mr. Schron, the meeting was adjourned at 5:50 p.m., without objection.