



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
WEDNESDAY, SEPTEMBER 12, 2018
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 5:00 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT

The following individuals addressed Council regarding Ordinance No. O2018-0009, an Ordinance enacting Chapter 206.13: Commission on Human Rights and Title 15: Anti-Discrimination to ensure equal opportunity and treatment for all citizens of Cuyahoga County:

- a) Mr. Michael Flickinger**
- b) The Honorable Ron Van Kirk, Council President, City of Brooklyn**

- c) Mr. John Stover
- d) Pastor Kevin Folger
- e) Mr. Tony George
- f) Ms. Joyce Witzke
- g) Mr. John Lutz
- h) Mr. Jack Beaver
- i) Ms. Rebecca Mileti
- j) Mr. James Mileti
- k) Mr. Bruce Musselman
- l) Mr. J.B. Anderson
- m) Pastor Kenneth Sundermeier
- n) Mr. Elijah Turan
- o) Ms. Anita Gray
- p) Mr. John Nosek
- q) Ms. Heather Light
- r) Mr. Doug Dechert
- s) Mr. Joel Royalty
- t) Mr. Peter Corrigan
- u) Ms. Ginny Millas
- v) Mr. Robert Bodi
- w) Mr. Randall Johnson
- x) Ms. Susan Becker
- y) Mr. Conrad Lindes
- z) Mr. David Tryon
- aa) Mr. David Douglass
- bb) Ms. Dorothy McGuire
- cc) Ms. Gwen Stembbridge
- dd) Ms. Shannon Miller
- ee) Mr. Michael Miller
- ff) Mr. Kevin Schmotzer
- gg) Mr. Rob Rivera
- hh) Ms. Donna Walker

[Clerk's note: After public comments, Council President Brady called for a short recess prior to continuation of the meeting.]

6. APPROVAL OF MINUTES

- a) August 7, 2018 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the August 7, 2018 Regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that in today's fiscal resolution, there is a budget item for funds to implement changes to the Division of Children and Family Services, which includes the following: (a) to hire 10 law enforcement officers to conduct investigations, (b) to hire 12 additional social workers for the Division, and (c) to reinstate funding for the Harvard neighborhood collaborative.

9. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2018-0168: 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 Tinker's Creek Watershed Partners for the conservation of ecologically significant areas in Bear Creek Stream Restoration – Phase II in the City of Warrensville Heights, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Council President Brady referred Resolution No. R2018-0168 to the Education, Environment & Sustainability Committee.

- 2) R2018-0169: 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 the conservation of ecologically significant areas in Dusty Goldenrod – Phase II in the City of Highland Heights, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Council President Brady referred Resolution No. R2018-0169 to the Education, Environment & Sustainability Committee.

- 3) R2018-0170: 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 the conservation of ecologically significant areas in West Creek Greenway – Phase V 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

Council President Brady referred Resolution No. R2018-0170 to the Education, Environment & Sustainability Committee.

- 4) R2018-0171: 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 the Western Reserve Land Conservancy for the conservation of ecologically significant areas in the Brecksville Upland Preserve Extension in the City of Brecksville, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Council President Brady referred Resolution No. R2018-0171 to the Education, Environment & Sustainability Committee.

- 5) R2018-0172: 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 the Western Reserve Land Conservancy for the conservation of ecologically significant areas in the Lower Big Creek Trail Connector 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

Council President Brady referred Resolution No. R2018-0172 to the Education, Environment & Sustainability Committee.

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. R2018-0173, R2018-0174, R2018-0175, R2018-0176 and R2018-0177.

- 1) R2018-0173: 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; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Fiscal Officer/Office of Budget and Management **and Councilmember Brown**

On a motion by Mr. Gallagher with a second by Ms. Brown, Resolution No. R2018-0173 was considered and adopted by unanimous vote.

- 2) R2018-0174: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 1746, AFL-CIO, representing approximately 1,220 employees in various classifications in the Departments of Health and Human Services and Public Works for the period 7/1/2017 - 6/30/2020, to eliminate Article 30: Funeral Leave and to subject bargaining unit employees to the Cuyahoga County Employee Handbook bereavement leave provision; directing that funds necessary to implement the amendment be budgeted and appropriated; 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/Departments of Law, Health and Human Services and Public Works

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2018-0174 was considered and adopted by unanimous vote.

- 3) R2018-0175: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Cleveland Building and Construction Trades Council representing approximately 82 employees in 26 classifications at the Department of Public Works for the period 7/1/2018 - 6/30/2021; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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.

Sponsor: County Executive Budish/Departments of Law and Public Works

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2018-0175 was considered and adopted by majority vote, with Councilmember Gallagher abstaining from the vote.

- 4) R2018-0176: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters Truck Drivers Union, Local 407, representing approximately 20 employees in the classifications of Investigator and Investigator Assistant at the Department of Health and Human Services/Cuyahoga Job and Family Services for the period 7/1/2018 - 6/30/2021; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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.

Sponsor: County Executive Budish/Departments of Law and Health and Human Services

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2018-0176 was considered and adopted by unanimous vote.

- 5) R2018-0177: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927-2, AFL-CIO, representing approximately 2 employees in the classification of Process Server at the Sheriff's Department for the period 1/1/2018 - 12/31/2020; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated;

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.

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

[Clerk's Note: Resolution No. R2018-0177 was tabled at the request of the Administration; therefore, it was not read into the record and there was no action taken by Council.]

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

- 1) R2018-0178: A Resolution confirming the County Executive's reappointment of Matthew P. Carroll to serve on the Gateway Economic Development Corporation of Greater Cleveland Board of Trustees for an unexpired term ending 5/31/2022, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0178 to the Human Resources, Appointments & Equity Committee.

- 2) R2018-0179: A Resolution confirming the County Executive's appointment of Fred M. DeGrandis to serve on The MetroHealth System Board of Trustees for an unexpired term ending 2/18/2021, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0179 to the Human Resources, Appointments & Equity Committee.

- 3) R2018-0180: A Resolution confirming the County Executive's appointment of various individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for various unexpired terms; and declaring the necessity that this Resolution become immediately effective:

- i) Erskine Cade ending 6/30/2019.

- ii) Rev. Benjamin F. Gohlstin, Sr., ending 6/30/2020.
- iii) Gregory X. Boehm, M.D., ending 6/1/2022.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0180 to the Human Resources, Appointments & Equity Committee.

- 4) R2018-0181: A Resolution making an award on RQ42986 to Terrace Construction Company, Inc. in the amount not-to-exceed \$2,812,624.93 for the Bradford Road Relief Sewer and Pump Station Elimination Project in the City of Brecksville; 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

Council President Brady referred Resolution No. R2018-0181 to the Public Works, Procurement & Contracting Committee.

- 5) R2018-0182: A Resolution making an award on RQ42993 to Licursi Garden Center dba Licursi Co. in the amount not-to-exceed \$573,620.50 for the Halle Warehouse Parking Lot Renovation Project; 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

Council President Brady referred Resolution No. R2018-0182 to the Public Works, Procurement & Contracting Committee.

- 6) R2018-0183: A Resolution making an award on RQ43224 to Karvo Companies, Inc. in the amount not-to-exceed \$1,354,515.80 for construction of future Amazon site perimeter roads – Euclid Avenue, Babbitt Road, Lakeland Boulevard, St. Clair Avenue, East 260th Street and Bluestone Boulevard in the City of Euclid; 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 \$7.50 License Tax Funds in the amount of \$300,000.00 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

Council President Brady referred Resolution No. R2018-0183 to the Public Works, Procurement & Contracting Committee.

- 7) R2018-0184: A Resolution authorizing an agreement of cooperation with City of Independence in connection with replacement of Old Rockside Road Bridge No. 00.42 over the Cuyahoga River in the City of Independence and Village of Valley View; total estimated project cost \$5,900,000.00; 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.

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

Council President Brady referred Resolution No. R2018-0184 to the Public Works, Procurement & Contracting Committee.

- 8) R2018-0185: A Resolution authorizing a Development Loan in the amount not-to-exceed \$10,000,000.00 to Playhouse Square Foundation for the benefit of The Lumen at Playhouse Square Project to be located at 1600 Euclid Avenue in the City of 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.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2018-0185 to the Economic Development & Planning Committee.

- 9) R2018-0186: A Resolution authorizing amendments to Contract Nos. CE1600274-02 (Statement of Work) and

CE1601169-02 (Master Services Agreement) with Infor (US), Inc. for information technology services and solutions for the Enterprise Resource Planning System to clarify the time period of the Original Contracts as 10/27/2016 - 10/26/2021, to change the scope of services and the terms, effective 10/9/2018, and to increase the total amount not-to-exceed from \$9,036,696.00 to \$11,801,685.00; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Information Technology

Council President Brady referred Resolution No. R2018-0186 to the Finance & Budgeting Committee.

- 10) R2018-0187: A Resolution authorizing a contract with OhioGuidestone in the amount not-to-exceed \$646,688.00 for Functional Family Therapy and Functional Family Therapy Wraparound Aftercare Services for the period 7/1/2018 - 6/30/2019; authorizing the County Executive to execute the contract 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

Council President Brady referred Resolution No. R2018-0187 to the Public Safety & Justice Affairs Committee.

- 11) R2018-0188: A Resolution authorizing an amendment to Agreement No. AG1800010-01 with City of Cleveland/ Department of Public Health for administration and coordination for expansion of the MomsFirst Program in connection with the Invest in Children Program for the period 1/1/2018 - 12/31/2019, to change the scope of services, effective 1/1/2018, and for additional funds in the amount not-to-exceed \$774,940.00; 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 Community Initiatives/Office of Early Childhood

Council President Brady referred Resolution No. R2018-0188 to the Education, Environment & Sustainability Committee.

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

[Clerk's Note: Although Resolution No. R2018-0138 was referred to the full Council with a recommendation for second reading by the Economic Development & Planning Committee, the Administration subsequently requested that it be considered 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. R2018-0138.

- 1) R2018-0138: A Resolution authorizing a sole source contract with Fund For Our Economic Future, as fiscal agent for a collaborative of public-private funders, in the amount not-to-exceed \$1,000,000.00 to support employment of County residents in up to three industry sectors in Cuyahoga County for the period 7/24/2018 - 12/31/2021; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmembers Simon, Jones, Tuma and Brown**

Committee Assignment and Chair: Economic Development & Planning – Schron

Mr. Schron introduced a proposed substitute on the floor to Resolution No. R2018-0138. Discussion ensued.

A motion was then made by Mr. Schron, seconded by Ms. Conwell and approved by majority vote to accept the proposed substitute, with Councilmember Schron abstaining from the vote.

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2018-0138 was considered and adopted by majority vote, as substituted, with Councilmember Schron abstaining from the vote.

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

- 1) O2018-0010: An Ordinance enacting Section 705.04 of the Cuyahoga County Code to establish sewer connection charges for the Cook and Columbia Phase V Sanitary Sewer Project; amending County Resolution No. 052209 dated 6/2/2005, which established the charges payable for connection to the County's sewer facilities in County Sewer District No. 14; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Ordinance No. O2018-0010 to the Public Works, Procurement & Contracting Committee.

e) **CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- 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.

Sponsors: County Executive Budish **and Councilmembers Simon, Houser and Conwell**

Ms. Conwell introduced a proposed substitute on the floor to Ordinance No. O2018-0007. Discussion ensued.

A motion was then made by Ms. Conwell, seconded by Ms. Brown and approved by unanimous vote to accept the proposed substitute.

On a motion by Ms. Conwell with a second by Ms. Brown, Ordinance No. O2018-0007 was considered and enacted by unanimous vote, as substituted.

11. **MISCELLANEOUS COMMITTEE REPORTS**

Mr. Jones reported that the Community Development Committee will meet on Monday, September 17, 2018 at 10:00 a.m.

Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, September 17, 2018 at 3:00 p.m.

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, September 18, 2018 at 10:00 a.m.

Mr. Gallagher reported that the Public Safety & Justice Affairs Committee will meet on Tuesday, September 18, 2018 at 1:00 p.m.

Ms. Baker reported that the Council Operations, Intergovernmental Relations & Public Transportation Committee will meet on Tuesday, September 18, 2018 at 3:00 p.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 19, 2018 at 10:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 19, 2018 at 3:00 p.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 7:14 p.m., without objection.