



MINUTES

CUYAHOGA COUNTY COUNCIL REMOTE* REGULAR MEETING
TUESDAY, JULY 21, 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, July 21, 2020

1. CALL TO ORDER

Council President Brady called the meeting to order at 2:11 p.m.

2. ROLL CALL

Council President Brady asked Clerk Schmotzer to call the roll. Councilmembers Gallagher, Schron, Conwell, Jones, Brown, Stephens, Simon, Baker, Miller, Tuma 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 honor of Civil Rights leaders Congressman John Lewis and C.T. Vivian, who recently passed away.

5. PUBLIC COMMENT**

Ms. Loh submitted public comment via email regarding COVID-19 testing for persons who are homeless.

6. APPROVAL OF MINUTES

- a) July 7, 2020 Committee of the Whole Meeting
- b) July 7, 2020 Regular Meeting

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes from the July 7, 2020 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from Council President Brady.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that the County has stepped up its lobbying efforts for funding under the fourth proposed coronavirus relief package. He said that the County is requesting more flexibility, more money and extending the date to use the funds beyond December 2020.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2020-0147: 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

Council President Brady referred Resolution No. R2020-0147 to the Human Resources, Appointments & Equity Committee.

- b) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- 1) R2020-0121: A Resolution declaring the necessity of and determining to proceed with submitting to the electors of the Cuyahoga County Public Library the question of an additional 1.0 mill levy for the purpose of current expenses of the Cuyahoga County Public Library in accordance with the

provisions of Sections 5705.23 and 5705.25 of the Revised Code for a continuing period of time; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of Cuyahoga County Public Library Board of Trustees

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2020-0121 was considered and adopted by unanimous vote.

- c) CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2020-0014.

- 1) O2020-0014: An Ordinance amending Section 208.01 of the Cuyahoga County Code to provide for the appointment of the Cuyahoga County Citizens' Advisory Council on Equity, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Brown, Miller, Conwell and Brady

On a motion by Mr. Miller with a second by Ms. Brown, Ordinance No. O2020-0014 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. R2020-0148, R2020-0149 and R2020-0150.

- 1) R2020-0148: 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; 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 on the floor to Resolution No. R2020-0148 to delete Item P. in Section 1 and Item B. in Section 2. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Ms. Brown and approved by unanimous vote to substitute Resolution No. R2020-0148.

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2020-0148 was considered and adopted by unanimous vote, as substituted.

- 2) R2020-0149: A Resolution approving a proposed settlement in the matter of Tyrone Hipps vs. Cuyahoga County, et al., United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-CV-2815; 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. Brown, Resolution No. R2020-0149 was considered and adopted by unanimous vote.

- 3) R2020-0150: A Resolution approving a Hazard Pay Agreement for bargaining unit employees of the County represented by American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Departments of Law and Human Resources and County Sheriff

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2020-0150 was considered and adopted by unanimous vote.

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

- 1) R2020-0151: A Resolution fixing the 2021 water, storm and sanitary sewer maintenance and/or sewerage treatment rates

for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2020-0151 to the Public Works, Procurement & Contracting Committee.

- 2) R2020-0152: A Resolution approving and confirming the 2021 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2020-0152 to the Public Works, Procurement & Contracting Committee.

- 3) R2020-0153: A Resolution making awards on RQ47764 to various providers, each in the amount not-to-exceed \$450,000.00, for general architectural engineering services for the period 8/5/2020 - 8/4/2023; 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) Robert P. Madison International, Inc.
- ii) Wiss, Janney, Elstner Associates, Inc.

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

Council President Brady referred Resolution No. R2020-0153 to the Public Works, Procurement & Contracting Committee.

- 4) R2020-0154: A Resolution making awards on RQ48610 to various contractors, in the total amount not-to-exceed

\$15,000,000.00, for On Call – COVID-19 Emergency Building Modifications for the period 8/4/2020 - 8/3/2021; 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) The AKA Team, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- ii) Brigadier Construction Services, LLC in the approximate amount reasonably anticipated to be \$1,875,000.00.
- iii) Donley's, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- iv) Next Generation Construction, LLC in the approximate amount reasonably anticipated to be \$1,875,000.00.
- v) Panzica Construction Company in the approximate amount reasonably anticipated to be \$1,875,000.00.
- vi) Regency Construction Services, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- vii) RL Hill Management, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- viii) TMG Services, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2020-0154 to the Public Works, Procurement & Contracting Committee.

- 5) R2020-0155: A Resolution authorizing a Sports Facility Agreement between Cuyahoga County, Cleveland Indians Baseball Company LLC and Gateway Economic Development

Corporation of Greater Cleveland in the amount not-to-exceed \$3,500,000.00 in accordance with Supplemental Trust Indenture No. 5 between Cuyahoga County and The Huntington National Bank, as Trustee, dated 10/1/2017; authorizing the County Executive or his designee 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/Fiscal Officer

Council President Brady referred Resolution No. R2020-0155 to the Committee of the Whole.

- 6) R2020-0156: A Resolution adopting the 2020 Economic Recovery Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2020-0156 to the Economic Development & Planning Committee.

- 7) R2020-0157: A Resolution authorizing a Grant Agreement with The Cleveland Foundation in the amount not-to-exceed \$1,500,000.00 to provide matching funds for The Cleveland Foundation Digital Inclusion Fund to support digital equity activities and efforts in Cuyahoga County for the period 8/1/2020 - 8/31/2021; 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 Information Technology/Office of Innovation and Performance

Council President Brady referred Resolution No. R2020-0157 to the Human Resources, Appointments & Equity Committee.

- 8) R2020-0158: A Resolution approving proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas

of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Planning Commission

Council President Brady referred Resolution No. R2020-0158 to the Public Works, Procurement & Contracting Committee.

- 9) R2020-0159: A Resolution authorizing a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023; 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 on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

Council President Brady referred Resolution No. R2020-0159 to the Public Safety & Justice Affairs Committee.

- c) 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. R2020-0139, R2020-0140, R2020-0141, R2020-0142, R2020-0143, R2020-0144, R2020-0145 and R2020-0146.

- 1) R2020-0139: A Resolution confirming the County Executive's appointment of various individuals to serve on the Cuyahoga County Citizens' Advisory Council on Equity for the term 7/15/2020 - 7/14/2025, and declaring the necessity that this Resolution become immediately effective:

- i) Rabbi Joshua Caruso
- ii) Stephen Caviness
- iii) Reverend Kenneth Chalker
- iv) Jenice Contreras
- v) Habeebah Rasheed Grimes
- vi) Dr. Heidi Gullett
- vii) Phyllis Seven Harris
- viii) Randell McShepard
- ix) Marsha A. Mockabee
- x) India Pierce Lee
- xi) Victor Ruiz
- xii) Cordell Stokes
- xiii) Danielle Sydnor
- xiv) Eddie Taylor
- xv) Sheila M. Wright

Sponsors: County Executive Budish **and Councilmembers Conwell, Simon, Miller, Jones and Stephens**

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

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2020-0139 was considered and adopted by unanimous vote.

- 2) R2020-0140: A Resolution authorizing an amendment to Contract No. CE1500299-01, 02, 03 and 06 with Halle Industrial Park, LLC for lease of space located at 1890 East 40th Street, Cleveland, for the period 3/1/2015 - 5/31/2025 for additional funds in the amount not-to-exceed \$1,369,804.54; 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 Public Works and Councilmember Conwell

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

On a motion by Mr. Tuma with a second by Mr. Brady, Resolution No. R2020-0140 was considered and adopted by unanimous vote.

- 3) R2020-0141: A Resolution authorizing an amendment to Contract No. CE1000867-01 with Near West Side Multi-Service Corporation dba May Dugan Center for lease of space located at 4115 Bridge Avenue, Cleveland, for use by Cuyahoga County Court of Common Pleas/Adult Probation Department for the period 8/1/2010 - 7/31/2020 to extend the time period to 7/31/2025, to change the terms, effective 8/1/2020, and for additional funds in the amount not-to-exceed \$182,881.00; 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 Public Works on behalf of Cuyahoga County Court of Common Pleas/Adult Probation Department and Councilmember Conwell

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

On a motion by Mr. Tuma with a second by Ms. Brown, Resolution No. R2020-0141 was considered and adopted by unanimous vote.

- 4) R2020-0142: A Resolution declaring that public convenience and welfare requires emergency repair of South Woodland Culvert No. 3 in the City of Shaker Heights; total estimated project cost \$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 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 Brown**

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

On a motion by Mr. Tuma with a second by Ms. Brown, Resolution No. R2020-0142 was considered and adopted by unanimous vote.

- 5) R2020-0143: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio, Economic Development Revenue Refunding Bonds, Series 2020D, in the maximum aggregate principal amount of \$162,935,000.00, for the purpose of refunding for debt charges savings certain of the County's outstanding Recovery Zone Facility Economic Development Revenue Bonds, Series 2010F (Medical Mart/Convention Center Project), which were issued for the purpose of providing moneys to pay costs of a "project" within the meaning of Chapter 165 of the Revised Code; authorizing the execution and delivery of a First Supplemental Trust Indenture securing the payment of the Series 2020D Bonds; establishing funds of the County related thereto; authorizing the execution and delivery of a Bond Purchase Agreement relating to the sale of the Series 2020D Bonds and related agreements and certificates; authorizing and approving related matters; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire Patton Boggs (US) LLP

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2020-0143 was considered and adopted by unanimous vote.

- 6) R2020-0144: A Resolution authorizing an amendment to Contract No. CE1700172-01 with Dell Marketing L.P. for a Microsoft Enterprise Agreement for various licensing and support services for the period 7/1/2017 - 6/30/2020 to extend the time period to 6/30/2023 and for additional funds in the amount not-to-exceed \$8,464,100.31; 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 Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2020-0144 was considered and adopted by unanimous vote.

7) R2020-0145: A Resolution authorizing amendments to an agreement and contracts with various providers for Comprehensive Case Management Employment Program – Employment, Education and Training services for Young Adults in connection with the Workforce Innovation and Opportunity Act for the period 7/1/2019 - 6/30/2021 for additional funds; 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:

i) Agreement:

a) No. AG1900142-01 with Cuyahoga Community College District for the Out-of-School Youth Program in the amount not-to-exceed \$603,351.00.

ii) Contracts:

a) No. CE1900247-01 with Linking Employment Abilities and Potential (LEAP) for the In-School Youth Program for students with disabilities in the amount not-to-exceed \$81,000.00.

b) No. CE1900249-01 with OhioGuidestone for the Out-of-School Youth Program in the amount not-to-exceed \$854,062.00.

c) No. CE1900251-01 with Towards Employment, Inc. for the Out-of-School Youth Program in the amount not-to-exceed \$205,261.00.

d) No. CE1900250-01 with Youth Opportunities Unlimited for the Out-of-School Youth Program in the amount not-to-exceed \$739,699.00.

- e) No. CE1900246-01 with Youth Opportunities Unlimited for operation of the Youth Resource Center in the amount not-to-exceed \$369,294.00.

Sponsor: County Executive Budish/Department of Workforce Development, in partnership with City of Cleveland/ Cuyahoga County Workforce Development Board and Department of Health and Human Services/Cuyahoga Job and Family Services

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

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2020-0145 was considered and adopted by unanimous vote.

- 8) R2020-0146: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$884,400.00 for residential and intensive outpatient treatment services in connection with the Medication Assisted Treatment II Drug Court Expansion Project for the period 5/31/2019 - 5/30/2024; 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 on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

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

On a motion by Mr. Gallagher with a second by Mr. Brady, Resolution No. R2020-0146 was considered and adopted by unanimous vote.

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

- 1) O2020-0015: An Uncodified Ordinance authorizing the County Executive or his designee to temporarily expand the Electronic Equipment and Communications Policy to define requirements for County employees working from home and

connecting to the County network, and declaring the necessity that this uncodified Ordinance become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Ordinance No. O2020-0015 to the Human Resources, Appointments & Equity Committee.

- 2) O2020-0016: An Uncodified Ordinance authorizing the County Executive to approve hazard pay to non-bargaining County employees in accordance with the Coronavirus Relief Fund established by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act; and declaring the necessity that this uncodified Ordinance become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Ordinance No. O2020-0016 to the Human Resources, Appointments & Equity Committee.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, July 27, 2020 at 1:00 p.m. for an ERP update from the Administration and that the Committee of the Whole will meet on Thursday, July 30, 2020 at 1:00 p.m. for an ERP update from Council's consultant Zig Berzins.

Mr. Schron reported that the Economic Development & Planning Committee will meet on Tuesday, July 27, 2020 at 3:00 p.m.

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, July 28, 2020 at 10:00 a.m.

Mr. Gallagher reported that the Public Safety & Justice Affairs Committee will meet on Tuesday, July 28, 2020 at 1:00 p.m.

Ms. Baker reported that the Council Operations, Intergovernmental Relations and Public Transportation Committee will meet on Tuesday, July 28, 2020 at 3:00 p.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, July 29, 2020 at 10:00 a.m.

Ms. Conwell reported that the Health, Human Services & Aging Committee will meet on Wednesday, July 29, 2020 at 1:00 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 2:39 p.m., without objection.