



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 13, 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 5:04 p.m.

2. ROLL CALL

Council President Brady asked Clerk Schmotzer to call the roll. Councilmembers Brown, Hairston, Simon, Greenspan, Miller, Germana, Gallagher, Schron, Conwell, Jones 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 in memory of The Honorable John Glenn, former U.S. Senator, 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) November 29, 2016 Committee of the Whole Meeting
- b) November 29, 2016 Regular Meeting
- c) December 6, 2016 Committee of the Whole Meeting

A motion was made by Mr. Brady, seconded by Mr. Miller and approved by majority vote to approve the minutes of the November 29, 2016 Committee of the Whole, November 29, 2016 Regular and December 6, 2016 Committee of the Whole meetings, with Mr. Greenspan abstaining from the vote.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady announced that there will be a Special meeting on Wednesday, December 28, 2016 at 10:00 a.m.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) The Division of Senior and Adult Services awarded two \$50,000.00 grants for the Coordinated Programming Initiative and for the Communities Assisting Residential Elderly; and**
- b) Wished everyone a happy holiday season.**

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2016-0231: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Association of Cuyahoga County Employees for Special Students, an affiliate of National Education Association and Ohio Education Association, representing approximately 110 employees for the period 1/1/2017 - 12/31/2019; 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. R2016-0231 into the record. No legislative action was taken by Council.

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

- 1) R2016-0232: 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. R2016-0232 to the Human Resources, Appointments & Equity Committee.

- c) 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 Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2016-0203.

- 1) R2016-0203: A Resolution approving The MetroHealth System Year 2017 Budget, in accordance with Ohio Revised Code Section 339.06(D), with the understanding that the allocation of County funds to the System will be made through adoption of the 2016/2017 Biennial Operating Budget and Capital Improvements Program Annual Update for 2017; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of The MetroHealth System

Committee Assignment and Chair: Committee of the Whole – Brady

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2016-0203 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 Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2016-0233 and R2016-0234.

- 1) R2016-0233: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and International Union of Operating Engineers, AFL-CIO, Local 18-S (Technicians), representing approximately 4 employees in the Department of Public Works for the period 1/1/2017 - 12/31/2019; 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/Division of Finance and Planning

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2016-0233 was considered and adopted by unanimous vote.

- 2) R2016-0234: 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. R2016-0234 was considered and adopted by unanimous vote.

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

- 1) R2016-0235: A Resolution confirming the County Executive's appointment of The Honorable Pamela E. Bobst to serve on the Cuyahoga County Planning Commission representing the Westshore Region for an unexpired term ending 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2016-0235 to the Human Resources, Appointments & Equity Committee.

- 2) R2016-0236: A Resolution approving an adjustment of the municipal boundary between Village of Brooklyn Heights and City of Seven Hills in connection with Permanent Parcel Nos. 551-10-081 and 551-10-087 located in the City of Seven Hills to be located entirely within the municipal boundary of the Village of Brooklyn Heights; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0236 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0237: A Resolution authorizing a contract with Greater Cleveland Regional Transit Authority in the amount not-to-exceed \$438,185.28 for lease of space at the Harvard Garage located at 2501 Harvard Avenue, Newburgh Heights, for the period 1/1/2016 - 12/31/2017; 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.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0237 to the Public Works, Procurement & Contracting Committee.

- 4) R2016-0238: A Resolution authorizing an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space located at 4621 Fulton Parkway, Cleveland, for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-to-exceed \$4,320,524.80; 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 Public Works and Health and Human Services

Council President Brady referred Resolution No. R2016-0238 to the Public Works, Procurement & Contracting Committee.

- 5) R2016-0239: A Resolution making an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; 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; 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. R2016-0239 to the Public Works, Procurement & Contracting Committee.

- 6) R2016-0240: A Resolution authorizing an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 - 10/31/2016 to extend the time period to 10/31/2021, to change the terms, effective 11/1/2016, and for additional funds in the amount not-to-exceed \$314,688.40; 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 and Fiscal Officer

Council President Brady referred Resolution No. R2016-0240 to the Public Works, Procurement & Contracting Committee.

- 7) R2016-0241: A Resolution authorizing an amendment to a revenue generating agreement with City of Cleveland/ Cleveland Municipal Court for legal services for indigent

persons for the period 1/1/2015 - 12/31/2015 to exercise an option to extend the time period to 12/31/2016 and for additional revenue in the amount not-to-exceed \$1,922,185.00; 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 Public Defender Commission **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0241 to the Public Safety & Justice Affairs Committee.

- 8) R2016-0242: A Resolution making an award on RQ38215 to Mental Health Services for Homeless Persons, Inc. dba Frontline Service in the amount not-to-exceed \$898,300.00 for Children Who Witness Violence Program services for the period 1/1/2017 - 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.

Sponsors: County Executive Budish/Department of Public Safety and Justice Services/Division of Witness/Victim **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0242 to the Public Safety & Justice Affairs Committee.

- c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2016-0227: A Resolution authorizing an amendment to Contract No. CE1500235-01 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 – 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00; 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/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting –
Greenspan

Clerk Schmotzer read Resolution No. R2016-0227 into the record.

Pending approval of Council's 2017 meeting schedule, this item will move to the January 10, 2017 Council meeting agenda for consideration for third reading adoption.

- 2) R2016-0228: A Resolution authorizing an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00; 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/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting –
Greenspan

Clerk Schmotzer read Resolution No. R2016-0228 into the record.

Pending approval of Council's 2017 meeting schedule, this item will move to the January 10, 2017 Council meeting agenda for consideration for third reading adoption.

- 3) R2016-0229: A Resolution authorizing an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 – 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00; 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/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting –
Greenspan

Clerk Schmotzer read Resolution No. R2016-0229 into the record.

Pending approval of Council’s 2017 meeting schedule, this item will move to the January 10, 2017 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. R2015-0218, R2016-0223, R2016-0224, R2016-0225, R2016-0226 and R2016-0230.

- 1) R2015-0218: A Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$21,030,000.00, for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating, upgrading, improving and equipping the Huntington Park Garage, together with connectors and other appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the execution of a trust indenture; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Committee of the Whole –
Brady

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2015-0218 was considered and adopted by unanimous vote.

- 2) R2016-0223: A Resolution confirming the County Executive’s reappointment of various individuals to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2017 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective:

- i) Gordon S. Friedman
- ii) James R. Wooley

Sponsor: County Executive Budish

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2016-0223 was considered and adopted by unanimous vote.

- 3) R2016-0224: A Resolution authorizing an amendment to Contract No. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective 12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00; 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/Division of County Engineer **and Councilmembers Germana, Simon, Conwell, Jones, Hairston and Miller**

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0224 was considered and adopted by unanimous vote.

- 4) R2016-0225: A Resolution authorizing an amendment to Contract No. CE1600075-01 with Medical Mutual of Ohio for stop loss insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$3,285,000.00; 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 Human Resources

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

Ms. Conwell introduced a proposed substitute to Resolution No. R2016-0225. Discussion ensued.

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2016-0225 was considered and adopted by unanimous vote, as substituted.

- 5) R2016-0226: A Resolution authorizing establishment of an underwriter pool based on an evaluation of responses to RFQ36628 consisting of local financial institutions that the County may employ to assist in any public financing arrangements; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) KeyBanc Capital Markets
 - ii) PNC Capital Markets LLC
 - iii) Fifth Third Securities, Inc.

Sponsor: County Executive Budish/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Greenspan

Mr. Greenspan introduced a proposed substitute to Resolution No. R2016-0226. Discussion ensued.

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

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2016-0226 was considered and adopted by unanimous vote, as substituted.

- 6) R2016-0230: A Resolution authorizing a contract with United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food

purchases for Cuyahoga County residents for the period 1/1/2017 - 12/31/2017; 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 Health and Human Services/Cuyahoga Job and Family Services and Councilmembers Hairston, **Brown and Miller**

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

On a motion by Mr. Jones with a second by Mr. Hairston, Resolution No. R2016-0230 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0206: A Resolution approving an agreement with City of Cleveland for the period 8/1/2015 - 7/31/2035 for the purpose of distributing alcohol and cigarette excise tax proceeds; 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

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2016-0206 was considered and adopted by unanimous vote.

- 2) R2016-0207: A Resolution approving an adjustment of the municipal boundary between Orange Village and City of Pepper Pike in connection with a portion of Lander Road, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

On a motion by Mr. Germana with a second by Ms. Brown, Resolution No. R2016-0207 was considered and adopted by unanimous vote.

- 3) R2016-0211: A Resolution declaring that public convenience and welfare requires replacement of Memphis Road Bridge

No. 00.62 over CSXT Railroad in the City of Brooklyn; total estimated project cost \$3,025,000.00; 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 Conwell

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0211 was considered and adopted by unanimous vote.

- 4) R2016-0212: A Resolution making an award on RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View; 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 Mr. Miller, Resolution No. R2016-0212 was considered and adopted by unanimous vote.

- 5) R2016-0214: A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018; authorizing the County Executive to accept said loan, if approved, and to execute the agreement and all other documents required in connection with said loan 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. R2016-0214 was considered and adopted by unanimous vote.

- 6) R2016-0218: A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain 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

On a motion by Mr. Hairston with a second by Mr. Schron, Resolution No. R2016-0218 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, December 21, 2016 at 10:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, December 20, 2016 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Rico Dancy addressed Council regarding the City of Cleveland Council Ward 10 election.

Rev. Pamela Pinkney Butts addressed Council regarding the re-opening of the African-American history museum and provided information relating to the Starting Over Again re-entry program.

14. REPORT BY CLERK ON LEGISLATION WITHDRAWN AT REQUEST OF SPONSOR(S)

There was no report given by the Clerk.

15. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:40 p.m, without objection.