



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 26, 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 5:03 p.m.

2. ROLL CALL

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

A motion was then made by Ms. Brown, seconded by Ms. Conwell and approved by unanimous vote to excuse Mr. Hairston from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Mr. Germana requested that a moment of silent meditation be dedicated in memory of former City of Parma Councilmembers and Cuyahoga County employees Sam Bonanno and Stuart Boyda 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) July 12, 2016 Committee of the Whole Meeting
- b) July 12, 2016 Regular Meeting

A motion was made by Ms. Brown, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the July 12, 2016 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady thanked all that assisted with the Republican National Convention. On behalf of County Council, Ms. Simon and Mr. Gallagher presented proclamations to County Sheriff Clifford Pinkney (represented Mr. George Taylor), Cleveland Police Chief Calvin Williams (represented by Deputy Chief Edward Tomba), Chief Community Safety & Protection Officer Frank Bova and Public Safety & Justice Services Director Brandy Carney, in appreciation for a job well done during the Republican National Convention.

8. MESSAGES FROM THE COUNTY EXECUTIVE

On behalf of County Executive Budish, Mr. Edward Kraus, Director of the Department of Regional Collaboration, commended the safety forces and County employees for their work during the Republican National Convention.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2016-0117: 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

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2016-0117 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. R2016-0131 and R2016-0132.

- 1) R2016-0131: 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. R2016-0131 was considered and adopted by unanimous vote.

- 2) R2016-0132: 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 1,158 employees in various classifications in the Departments of Health and Human Services and Public Works for the period 7/1/2014 - 6/30/2017 to establish terms of the wage re-opener for the period 7/1/2016 - 6/30/2017 and to modify Article 78; 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. Miller, Resolution No. R2016-0132 was considered and adopted by unanimous vote.

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

- 1) R2016-0133: A Resolution authorizing a contract with Engineered Arresting Systems Corporation dba Zodiac Arresting Systems America in the amount not-to-exceed \$5,981,448.00 for purchase of Engineered Material Arresting System for the County Airport Runway Safety Improvements Project for the period 8/24/2016 - 12/31/2018; 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. R2016-0133 to the Public Works, Procurement & Contracting Committee.

- 2) R2016-0134: A Resolution fixing the 2017 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/Division of County Engineer

Council President Brady referred Resolution No. R2016-0134 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0135: A Resolution approving and confirming the 2017 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/Division of County Engineer

Council President Brady referred Resolution No. R2016-0135 to the Public Works, Procurement & Contracting Committee.

- 4) R2016-0136: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5026 for replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; 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. R2016-0136 to the Public Works, Procurement & Contracting Committee.

- 5) R2016-0137: A Resolution authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028; authorizing the County Executive to execute the agreement and all other documents consistent with the agreement and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Sustainability

Council President Brady referred Resolution No. R2016-0137 to the Committee of the Whole.

- c) CONSIDERATION OF A RESOLUTION 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 Rules 9D and 12A and to place on final passage Resolution No. R2016-0130.

- 1) R2016-0130: A Resolution authorizing an agreement with State of Ohio, Office of the Auditor in the amount not-to-exceed \$533,000.00 for an annual audit for Calendar Year 2015 for the period 1/1/2016 - 12/31/2016; 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/Fiscal Officer

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2016-0130 was considered and adopted by unanimous vote.

- 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. R2016-0109, R2016-0110, R2016-0122, R2016-0127, R2016-0128 and R2016-0129.

- 1) R2016-0109: A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$740,000.00 to Kanan Enterprises, Inc. for the benefit of a project located at 31900 Solon Road, Solon; 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

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron, with a second by Mr. Miller, Resolution No. R2016-0109 was considered and adopted by unanimous vote.

- 2) R2016-0110: A Resolution adopting the 2016 Economic Development 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.

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

Committee Assignment and Chair: Economic Development & Planning – Schron

Mr. Schron introduced a proposed substitute on the floor. Discussion ensued.

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

On a motion by Mr. Schron, with a second by Mr. Miller, Resolution No. R2016-0110 was considered and adopted by unanimous vote, as substituted.

- 3) R2016-0122: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of South Euclid on behalf of Heights/Hillcrest Communications Center in the amount not-to-exceed \$1,000,000.00 for Public Safety Answering Point consolidation support for the period 8/1/2016 - 8/1/2017; authorizing the County Executive to execute the agreement 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/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee and Councilmembers Hairston, Simon and Gallagher

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

On a motion by Mr. Gallagher, with a second by Mr. Germana, Resolution No. R2016-0122 was considered and adopted by unanimous vote.

- 4) R2016-0127: A Resolution making an award on RQ36070 to APEX Construction and Management Co. Inc. in the amount not-to-exceed \$1,698,430.00 for the Cuyahoga County Men's Shelter Renovations 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.

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

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

On a motion by Mr. Germana, with a second by Ms. Conwell, Resolution No. R2016-0127 was considered and adopted by unanimous vote.

- 5) R2016-0128: A Resolution making an award on RQ36912 to John G. Johnson Construction Co. in the amount not-to-exceed \$6,633,224.00 for the Cuyahoga County Halle Archives and Board of Elections Operations Building Renovations 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.

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

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

On a motion by Mr. Germana, with a second by Ms. Conwell, Resolution No. R2016-0128 was considered and adopted by unanimous vote.

- 6) R2016-0129: A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$350,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Turney Road Sewer Rehabilitation Project in the City of Garfield Heights for the period 7/1/2016 - 9/30/2017; 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

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

On a motion by Mr. Germana, with a second by Mr. Jones, Resolution No. R2016-0129 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0105: A Resolution confirming the County Executive's appointment of David Marquard to serve on the District One Public Works Integrating Committee for an unexpired term ending 6/21/2018; confirming the appointment of Christopher

George to serve as alternate to David Marquard; confirming the appointment of Nichole English to serve as alternate to Michael W. Dever; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

On a motion by Ms. Conwell, with a second by Mr. Miller, Resolution No. R2016-0105 was considered and adopted by unanimous vote.

- 2) R2016-0119: A Resolution declaring that public convenience and welfare requires slab replacement for Fitch Road Culvert 02.23 over Root Ditch in the City of North Olmsted; total estimated project cost \$250,000.00; 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.

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

On a motion by Mr. Germana, with a second by Mr. Greenspan, Resolution No. R2016-0119 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, August 3, 2016 at 10:00 a.m.

Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, August 15, 2016 at 1:00 p.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, August 3, 2016 at 1:00 p.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, August 3, 2016 at 3:00 p.m.

12. MISCELLANEOUS BUSINESS

Mr. Greenspan announced that he is hosting a Town Hall meeting on Monday, August 8, 2016 at 7:00 p.m. at Fairview Park City Hall.

13. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding the closure of Lakewood Hospital:

- a) Ms. Joanne Gerhart
- b) Ms. Tara Peppard

14. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Jones with a second by Ms. Simon, the meeting was adjourned at 5:38 p.m., without objection.