



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
WEDNESDAY, DECEMBER 7, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE NOVEMBER 16, 2016 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) 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.
 - b) O2016-0013: An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit

registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING

WEDNESDAY, NOVEMBER 16, 2016

CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS

C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR

10:00 AM

1. CALL TO ORDER

Chairman Germana called the meeting to order at 10:04 a.m.

2. ROLL CALL

Mr. Germana asked Deputy Clerk Carter to call the roll. Committee members Germana, Miller and Simon were in attendance and a quorum was determined. Committee members Conwell and Greenspan were absent from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE NOVEMBER 2, 2016 MEETING

A motion was made by Mr. Germana, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the November 2, 2016 meeting.

5. MATTERS REFERRED TO COMMITTEE

[Clerk's Note: Item 5 a) was taken out of order and considered after Item 5 j)]

- a) R2016-0204: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to

achieve beneficial purchasing arrangements for the year 2017, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Mr. German addressed the Committee regarding Resolution No. R2016-0204. Discussion ensued.

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0204 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) 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.

Mr. Michael Dever, Director of the Department of Public Works; and Mr. Neil Juhnke, Chief Surveyor, addressed the Committee regarding Resolution No. R2016-0207. Discussion ensued.

Committee members asked questions of Messrs. Dever and Juhnke pertaining to the item, which they answered accordingly.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0207 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- c) R2016-0208: A Resolution approving the vacation of a certain portion of Warrensville Center Road to the City of Shaker Heights in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.

Mr. Dever; Mr. Juhnke; and Ms. Joyce Braverman, Director of the City of Shaker Heights Planning Department, addressed the Committee regarding Resolution No. R2016-0208. Discussion ensued.

Committee members asked questions of Mr. Dever, Mr. Juhnke and Ms. Braverman pertaining to the item, which they answered accordingly.

A motion was then made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to amend Resolution No. R2016-0208 by inserting "16" in the third Whereas clause.

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0208 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

- d) R2016-0209: A Resolution approving the vacation of a certain portion of Warrensville Center Road to Van Aken Shopping Center, Ltd. in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.

Mr. Dever, Mr. Juhnke and Ms. Braverman, addressed the Committee regarding Resolution No. R2016-0209. Discussion ensued.

Committee members asked questions of Mr. Dever, Mr. Juhnke and Ms. Braverman pertaining to the item, which they answered accordingly.

A motion was then made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to amend Resolution No. R2016-0209 by inserting "16" in the third Whereas clause.

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0209 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

- e) R2016-0210: A Resolution authorizing a Memorandum of Agreement with Federal Aviation Administration in connection with the Air Traffic Control Tower Land Site located at the Cuyahoga County Airport for the period 10/1/2016 - 9/30/2036; 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.

Mr. Dever addressed the Committee regarding Resolution No. R2016-0210. Discussion ensued.

Committee members asked questions of Mr. Dever pertaining to the item, which he answered accordingly.

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2016-0210 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

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

Ms. Nichole English, Transportation Planning Engineer, addressed the Committee regarding Resolution No. R2016-0211. Discussion ensued.

Committee members asked questions of Ms. English pertaining to the item, which she answered accordingly.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0211 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- g) 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.

Ms. English addressed the Committee regarding Resolution No. R2016-0212. Discussion ensued.

Committee members asked questions of Ms. English pertaining to the item, which she answered accordingly.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0212 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- h) R2016-0213: A Resolution authorizing an agreement with Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018, and declaring the necessity that this Resolution become immediately effective.

Mr. Michael Chambers, Fiscal Officer for the Department of Public Works, addressed the Committee regarding Resolution No. R2016-0213. Discussion ensued.

Committee members asked questions of Mr. Chambers pertaining to the item, which he answered accordingly.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0213 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- i) 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.

Mr. Chambers addressed the Committee regarding Resolution No. R2016-0214. Discussion ensued.

Committee members asked questions of Mr. Chambers pertaining to the item, which he answered accordingly.

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0214 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- j) R2016-0215: A Resolution accepting a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017; authorizing the County Executive 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.

Mr. Chambers addressed the Committee regarding Resolution No. R2016-0215. Discussion ensued.

Committee members asked questions of Mr. Chambers pertaining to the item, which he answered accordingly.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2016-0215 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Germana adjourned the meeting at 10:50 a.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0224

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>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.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended 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; and

WHEREAS, the scope of services has been expanded to include environmental analysis, Stage 1, Stage 2 and Stage 3 design, right-of-way plan, performance of the scope of the final design, preparation of final package, bridge and retaining wall detailed design, and services during construction; and

WHEREAS, the additional services included in this amendment could not be contracted with the initial contract since the scope of final design was not known at that time but developed during the preliminary engineering and environmental studies; and

WHEREAS, this project will be funded by Federal funding from House/Senate Priority 1688/4639; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes 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.

SECTION 2. That the County Executive is authorized to execute the amendment and all other documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 29, 2016

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0013

<p>Sponsored by: Councilmember Simon</p> <p>Co-sponsored by: Councilmembers Hairston and Miller</p>	<p>An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio’s animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.</p>
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WHEREAS, Ohio House Bill 60, more commonly known as “Dick Goddard’s Law” was enacted by the Ohio General Assembly on May 25, 2016, making certain types of animal cruelty felony offenses; and,

WHEREAS, companion animals are sentient beings with inherent dignity, and are deserving of protection from abuse; and

WHEREAS, the Cuyahoga County Sheriff maintains a registry of convicted sex offenders and arson offenders living within in Cuyahoga County; and,

WHEREAS, Council now seeks to establish an Animal Abuse Registry within Cuyahoga County to prevent those individuals who have been convicted of felony animal abuse from acting as the custodian or caretaker of companion animals.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Title 14 of the Cuyahoga County Code is hereby enacted to read as follows:

Title 14: Animals

Chapter 1401: Animal Abuse Registry

Section 1401.01: Definitions

As used in this chapter of the Cuyahoga County Code:

- (A) “Animal shelter” has the same meaning as in section 4729.01 of the Ohio Revised Code.
- (B) “Companion animal” has the same meaning as in section 959.131 of the Ohio Revised Code.
- (C) “Dog kennel” has the same meaning as in section 959.131 of the Ohio Revised Code.
- (D) “Felony animal cruelty” means any violation of chapter 959 of the Ohio Revised Code that constitutes a felony offense or any violation of section 2921.321 of the Ohio Revised Code that constitutes a felony offense.
- (E) “Humane society” has the same meanings as in section 935.01 of the Ohio Revised Code.
- (F) “Law enforcement officer” has the same meanings as in section 935.01 of the Ohio Revised Code.
- (G) “Pet store” has the same meaning as in section 956.01 of the Ohio Revised Code.

Section 1401.02: Registry Established

(A) For purposes of the registry established under paragraph (B) of this section, an individual who has been convicted or pleaded guilty to felony animal cruelty in Cuyahoga County shall submit the following information to the Cuyahoga County Sheriff not later than thirty days after being convicted or pleading guilty to such violation:

- (1) The individual’s name, address, gender, and date of birth;
- (2) The statutory violation to which the individual was convicted or pleaded guilty;
- (3) Any additional information that the Sheriff considers necessary.

(B) The Cuyahoga County Sheriff, in coordination with the Clerk of Courts, the Cuyahoga County Animal Shelter, and the Chief Information Officer, shall establish and maintain a registry of individuals who have been convicted of or pleaded guilty to felony animal cruelty. The sheriff shall make the registry available to local and state law enforcement agencies, animal shelters, humane societies, dog kennels, pet stores, and licensed animal rescue agencies. In addition, the sheriff shall post a searchable registry on the county’s web site accessible to the public. The registry shall include all of the information submitted under paragraph (A) of this section as well as a photograph of the registrant.

First Reading/Referred to Committee: November 29, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: November 29, 2016

Journal _____
_____, 20__