



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 11, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
3:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 3:07 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Leo Spellacy, Jr. addressed Council regarding Resolution No. R2016-0167, a Resolution making a revenue generating award on RQ32983 to Securus Technologies, Inc. in the estimated amount of \$12,000,000.00 for inmate communication and financial management systems.

Mr. Rico Dancy addressed Council regarding HB 769 and issues with law enforcement officials.

6. APPROVAL OF MINUTES

- a) September 27, 2016 Committee of the Whole Meeting
- b) September 27, 2016 Regular Meeting

A motion was made by Mr. Miller, seconded by Mr. Hairston and approved by majority vote to approve the minutes of the September 27, 2016 Committee of the Whole and Regular meetings, with Mr. Brady and Mr. Schron abstaining from the vote.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady thanked Council Vice-President Jones for chairing the September 27, 2016 Committee of the Whole and Council meetings.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Congratulated the Cleveland Indians on their recent victory; and**
- b) **Announced that it is the last day for voter registration and that early voting begins tomorrow. He also encouraged all citizens to vote.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS 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 Nos. R2016-0169, R2016-0170, R2016-0171, R2016-0172 and R2016-0173.

- 1) R2016-0169: 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

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

On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2016-0169 was considered and adopted by unanimous vote.

- 2) R2016-0170: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for the conservation of ecologically significant areas known as Shelter Hill Ravines located in the Village of Hunting Valley, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2016-0170 was considered and adopted by unanimous vote.

- 3) R2016-0171: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Western Reserve Land Conservancy for the acquisition and conservation of ecologically significant areas known as Brecksville Upland Preserve located 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

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

On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2016-0171 was considered and adopted by unanimous vote.

- 4) R2016-0172: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the acquisition and conservation of ecologically significant areas along the main stem of West Creek located in the City of Parma, and declaring

the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon **and Germana** on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2016-0172 was considered and adopted by unanimous vote.

- 5) R2016-0173: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of L.A.N.D. Studio, Inc. for the acquisition and conservation of ecologically significant areas on Irishtown Bend hillside along the Cuyahoga River located in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2016-0173 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. R2016-0187, R2016-0188 and R2016-0189.

- 1) R2016-0187: 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 Ms. Conwell, Resolution No. R2016-0187 was considered and adopted by unanimous vote.

- 2) R2016-0188: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M, representing approximately 6 employees in 2 classifications at the Department of Public Works for the period 2/1/2015 - 1/31/2018 to establish terms of the wage re-opener for the period 2/1/2017 - 1/31/2018 and to modify Article 25, Section 3; 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 and Public Works

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2016-0188 was considered and adopted by unanimous vote.

- 3) R2016-0189: 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 2927, AFL-CIO, representing approximately 34 employees in various classifications at the Sheriff's Department for the period 1/1/2015 - 12/31/2017 to establish terms of the wage re-opener for the period 1/1/2017 - 12/31/2017 and to modify Article 15, Section 1; 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/Department of Law and County Sheriff

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2016-0189 was considered and adopted by unanimous vote.

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

- 1) R2016-0190: A Resolution authorizing a First Amendment to Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property on the Flats East and West Banks, located at 1170 Old River Road, Cleveland, for a term of 99 years, by adding Permanent Parcel No. 003-16-029 located adjacent to the intersection of Main Avenue and Center Street underneath the Cleveland Memorial Shoreway; 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

Council President Brady referred Resolution No. R2016-0190 to the Public Works, Procurement & Contracting Committee.

- 2) R2016-0191: A Resolution authorizing an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office space in the Marion Building, located at 1276 West 3rd Street, Cleveland, for the period 12/1/2013 - 10/31/2016 to extend the time period to 10/31/2017 and for additional funds in the amount not-to-exceed \$1,108,668.60; 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

Council President Brady referred Resolution No. R2016-0191 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0192: A Resolution authorizing a contract with Applewood Centers, Inc. in the amount not-to-exceed \$641,000.00 for the Placement Planning Day Report Program

for the period 7/1/2016 - 6/30/2017; 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 on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

Council President Brady referred Resolution No. R2016-0192 to the Public Safety & Justice Affairs Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2016-0179: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; total estimated project cost \$756,000.00; 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

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

Clerk Schmotzer read Resolution No. R2016-0179 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 2) R2016-0180: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; total estimated project cost \$581,000.00; 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

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

Clerk Schmotzer read Resolution No. R2016-0180 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 3) R2016-0181: A Resolution declaring that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; total estimated project cost \$744,000.00; 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

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

Clerk Schmotzer read Resolution No. R2016-0181 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 4) R2016-0184: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; 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

Clerk Schmotzer read Resolution No. R2016-0184 into the record.

This item will move to the next 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. R2016-0178, R2016-0182, R2016-0183, R2016-0185 and R2016-0186.

- 1) R2016-0178: A Resolution authorizing an amendment to a revenue generating agreement with University Hospitals Health System, Inc. for lease of space in the Samuel R. Gerber Cuyahoga County Medical Examiner’s Building, located at 11001 Cedar Avenue, Cleveland, for the period 7/30/1996 - 5/31/2016 to extend the time period to 5/31/2017 and for additional revenue in the amount not-to-exceed \$465,045.00; 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 Public Works

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

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2016-0178 was considered and adopted by unanimous vote.

- 2) R2016-0182: A Resolution making an award on RQ37533 to Schirmer Construction, LLC in the amount not-to-exceed \$1,953,750.00 for rehabilitation of Cedar Road Bridge No. 229 over Doan Brook 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.

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

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2016-0182 was considered and adopted by unanimous vote.

- 3) R2016-0183: A Resolution authorizing an amendment to Contract No. CE1300507-01 for design engineering services for the Towpath Trail - Stage 4 from Tremont/Literary Trailhead to Canal Basin Park in Cuyahoga County to change the name of the provider from Michael Baker Jr., Inc. to Michael Baker International, Inc., to change the scope of services and the terms, effective 7/12/2016, and for additional funds in the amount not-to-exceed \$1,043,913.00; 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 Councilmember Conwell

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

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2016-0183 was considered and adopted by unanimous vote.

- 4) R2016-0185: A Resolution authorizing a contract with Tax Ease Ohio, LLC, as purchaser and servicer, in the amount not-to-exceed \$50,000,000.00 for the sale of tax lien certificates; 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/County Treasurer **and Councilmember Germana**

Committee Assignment and Chair: Community Development – Hairston

On a motion by Mr. Hairston with a second by Ms. Simon, Resolution No. R2016-0185 was considered and adopted by unanimous vote.

- 5) R2016-0186: A Resolution authorizing an amendment to Contract No. CE1200260-01 with Mental Health Services for Homeless Persons, Inc. dba Frontline Service for transitional housing program services for the period 6/1/2012 - 9/30/2016 to extend the time period to 9/30/2017 and for additional funds in the amount not-to-exceed \$1,222,993.00; 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 Homeless Services

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

On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2016-0186 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0141: A Resolution making awards on RQ29315 to various providers, in the total amount not-to-exceed \$23,849,601.00, for various services for the Enterprise Resource Planning System for various time periods; authorizing the County Executive to execute the contracts, master services agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Ciber, Inc. in the amount not-to-exceed \$9,036,696.00 for information technology services

and solutions for the period 10/1/2016 - 9/30/2021.

- ii) Infor Public Sector, Inc. in the amount not-to-exceed \$14,358,698.00 for software licenses, maintenance and support for ERP software for the period 10/1/2016 - 9/30/2026.
- iii) MHC Software, Inc. in the amount not-to-exceed \$194,635.00 for ERP printing integration software licenses, support and implementation services for the period 10/1/2016 - 9/30/2021.
- iv) Emphasys Software in the amount not-to-exceed \$259,573.00 for licenses, support and maintenance and implementation services for SymPro Treasury Management Software for the period 10/1/2016 - 9/30/2026.

Sponsors: County Executive Budish/Department of Information Technology and Councilmembers Greenspan, Miller, Hairston and Schron

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2016-0141 was considered and adopted by unanimous vote.

- 2) R2016-0153: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2019, and declaring the necessity that this Resolution become immediately effective:

- i) Appointments:
 - a) Ethan Karp
 - b) Mone Givner
- ii) Reappointment:
 - a) Aaron Grossman

Sponsor: County Executive Budish

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2016-0153 was considered and adopted by unanimous vote.

- 3) R2016-0154: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for an unexpired term ending 6/30/2018, and declaring the necessity that this Resolution become immediately effective:

i) Appointments:

- a) Tracy Johnson
- b) Chris Kreuger
- c) LeAnder Lovett
- d) Maurice Smith
- e) Dr. Alan Taege
- f) Robert Watkins

ii) Reappointments:

- a) Kimberlin Dennis
- b) Susan DiCocco
- c) Melissa Federman
- d) Bryan Jones
- e) James Stevenson
- f) Leshia Yarbrough-Franklin

Sponsor: County Executive Budish

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2016-0154 was considered and adopted by unanimous vote.

- 4) R2016-0156: A Resolution authorizing a utility agreement with City of Olmsted Falls for installation and maintenance of a joint sanitary sewer; operation, maintenance and repair of pump stations and wastewater treatment plants; and maintenance and repair of storm and sanitary sewers located in County Sewer District No. 14; and 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/Department of Public Works and Councilmember Gallagher

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0156 was considered and adopted by unanimous vote.

- 5) R2016-0158: A Resolution authorizing an Economic Development Fund Business Growth and Attraction loan in the amount not-to-exceed \$2,000,000.00 to 105th Cedar Partners, LLC for the benefit of a project located at East 105th Street and Cedar Avenue, 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.

Sponsors: County Executive Budish/Department of Development and Councilmembers Conwell, Germana, Miller, Greenspan and Hairston

On a motion by Mr. Hairston with a second by Ms. Conwell, Resolution No. R2016-0158 was considered and adopted by unanimous vote.

- f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING AND REFERRAL TO COMMITTEE

- 1) O2016-0012: An Ordinance amending Section 303.01 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County, as amended; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Department of Human Resources

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

Council President Brady referred Ordinance No. O2016-0012 to the Human Resources, Appointments & Equity Committee.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 19, 2016 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Chris Glassburn thanked Council and County Executive Budish for the opportunity to work for Cuyahoga County over the past two years.

Rev. Pamela Pinkney Butts addressed Council regarding her presidential campaign.

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

- a) R2016-0174: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Doan Brook Watershed Partnership for floodplain and riparian corridor restoration of Doan Brook 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

Clerk Schmotzer reported that Resolution No. R2016-0174 was withdrawn at the request of the Cuyahoga County Planning Commission as Doan Brook Watershed Partnership asked that its application for funding be withdrawn from consideration.

15. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 3:44 p.m., without objection.