



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JUNE 12, 2018
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 5:00 p.m.

2. ROLL CALL

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

A motion was then made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to excuse Mr. Schron from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT

Ms. Gwen Stembridge addressed Council regarding Ordinance No. O2018-0009, an Ordinance enacting Chapter 206.13: Commission on Human Rights and Title 15: Anti-Discrimination to ensure equal opportunity and treatment for all citizens of Cuyahoga County.

Ms. Loh addressed Council regarding various issues concerning the new management of the Norma Herr women's shelter.

6. APPROVAL OF MINUTES

- a) May 29, 2018 Regular Meeting

A motion was made by Ms. Conwell, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the May 29, 2018 Regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported on the final results for the Harvest for Hunger Campaign and thanked all County employees for their participation. He said that the County received the Emerald award for its contributions.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2018-0117: 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 Brown on behalf of Cuyahoga County Personnel Review Commission

Council President Brady referred Resolution No. R2018-0117 to the Human Resources, Appointments & Equity Committee.

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. R2018-0118 and R2018-0119.

- 1) R2018-0118: A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 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; amending Resolution No. R2018-0113 dated 5/29/2018 to reconcile appropriations for 2018; 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. Miller with a second by Ms. Conwell, Resolution No. R2018-0118 was considered and adopted by unanimous vote.

- 2) R2018-0119: A Resolution accepting/rejecting the report containing findings and recommendations of Fact-finder Jared Simmer regarding negotiations between Cuyahoga County and Ohio Patrolmen's Benevolent Association for a collective bargaining agreement covering approximately 110 employees in the classification of Protective Services Officers at the Sheriff's Department, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Law and County Sheriff

Mr. Brady introduced a proposed amendment on the floor to accept the fact-finder's report in connection with Resolution No. R2018-0119. Discussion ensued.

A motion was then made by Mr. Brady, seconded by Mr. Miller and approved by unanimous vote to accept the proposed amendment.

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2018-0119 was considered and adopted by unanimous vote, as amended.

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

- 1) R2018-0120: A Resolution confirming the County Executive's appointment of Walter Parfejewiec, upon his taking the oath of office, as Director of the Department of Health and Human

Services; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0120 to the Committee of the Whole.

- 2) R2018-0121: A Resolution confirming the County Executive's appointment of Michele Pomerantz, upon her taking the oath of office, as Director of the Department of Regional Collaboration; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish **and Councilmember Miller**

Council President Brady referred Resolution No. R2018-0121 to the Committee of the Whole.

- 3) R2018-0122: A Resolution confirming the County Executive's appointment of Kenneth G. Silliman to serve on the Gateway Economic Development Corporation of Greater Cleveland Board of Trustees for an unexpired term ending 5/31/2022, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0122 to the Human Resources, Appointments & Equity Committee.

- 4) R2018-0123: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for an unexpired term ending 3/31/2021, and declaring the necessity that this Resolution become immediately effective:

- i) Appointment:

- a) Gary Hanson

- ii) Reappointment:

- a) Charna E. Sherman

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0123 to the Human Resources, Appointments & Equity Committee.

- 5) R2018-0124: A Resolution confirming the County Executive's appointment of Keith J. Libman to serve on the Cuyahoga County Audit Committee for an unexpired term ending 12/31/2018, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0124 to the Human Resources, Appointments & Equity Committee.

- 6) R2018-0125: A Resolution confirming the County Executive's appointment of Sheryl Hirsh to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for an unexpired term ending 6/30/2020, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

At the request of the administration, Resolution No. R2018-0125 was withdrawn from Council consideration.

- 7) R2018-0126: A Resolution authorizing a Second Amendment to Lease and Right of First Refusal with Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property located on the Flats East and West Banks, for a term of 99 years, to add a portion of Permanent Parcel No. 003-15-001 located at the southwest corner of Main Avenue and Mulberry Street intersection underneath the Main Avenue Bridge in the City of Cleveland; 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. R2018-0126 to the Public Works, Procurement & Contracting Committee.

- 8) R2018-0127: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5031 for reconstruction and widening of Sprague Road – Phase 1 from Webster Road to West 130th Street in the Cities of Middleburg Heights and Strongsville; 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.

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

Council President Brady referred Resolution No. R2018-0127 to the Public Works, Procurement & Contracting Committee.

- 9) R2018-0128: A Resolution making an award on RQ42711 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$14,658,155.85 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 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 \$7.50 License Tax Funds in the amount of \$331,059.36 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2018-0128 to the Public Works, Procurement & Contracting Committee.

- 10) R2018-0129: A Resolution adopting the 2018 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.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2018-0129 to the Economic Development & Planning Committee.

- 11) R2018-0130: A Resolution authorizing an amendment to Contract No. CE1700141-01 with Unify Solutions, Inc. for SAP Human Capital Management support services for the period 7/1/2017 - 6/30/2018 to extend the time period to 12/31/2019 and for additional funds in the amount not-to-exceed \$509,520.00; 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 Information Technology

Council President Brady referred Resolution No. R2018-0130 to the Finance & Budgeting Committee.

- 12) R2018-0131: A Resolution authorizing amendments to agreements and contracts with various providers for various programs and services for youth in connection with the Workforce Innovation and Opportunity Act for the period 7/1/2016 - 6/30/2018 to extend the time period to 6/30/2019 and 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) Agreements:

- a. No. AG1600217-01 with Cuyahoga Community College District in the total amount not-to-exceed \$436,292.00:

- i. in the approximate amount of \$97,500.00 for the In-School Youth Program.

- ii. in the approximate amount of \$338,792.00 for the Out-of-School Youth Program.
 - b. No. AG1600218-01 with Mayfield City School District in the amount not-to-exceed \$23,000.00 for the In-School Youth Program.
- ii) Contracts:
 - a. No. CE1600287-01 with Linking Employment Abilities and Potential in the amount not-to-exceed \$37,000.00 for the In-School Youth Program.
 - b. No. CE1600288-01 with OhioGuidestone in the total amount not-to-exceed \$668,473.00:
 - i. in the approximate amount of \$48,750.00 for the In-School Youth Program.
 - ii. in the approximate amount of \$619,723.00 for the Out-of-School Youth Program.
 - c. No. CE1600289-01 with Towards Employment, Inc. in the total amount not-to-exceed \$380,092.00:
 - i. in the approximate amount of \$172,263.00 for the Out-of-School Youth Program.
 - ii. in the approximate amount of \$181,633.00 for the Youth Resource Center.
 - iii. in the approximate amount of \$26,196.00 for Social Program Administrator support.

- d. No. CE1600290-01 with Youth Opportunities Unlimited in the amount not-to-exceed \$262,000.00 for the Youth Resource Center.

Sponsors: County Executive Budish/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Development Board

Council President Brady referred Resolution No. R2018-0131 to the Education, Environment & Sustainability Committee.

c) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2018-0098: A Resolution authorizing the County Executive to accept dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel Nos. 736-29-042, 736-29-043 and 736-13-057, located in the City of Shaker Heights as a public street; authorizing the County Executive to execute the final Plat in connection with said dedication; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0098 was considered and adopted by unanimous vote.

- 2) R2018-0099: A Resolution declaring that public convenience and welfare requires resurfacing York Road from Pearl Road to Pleasant Valley Road in the Cities of Parma and Parma Heights; total estimated project cost \$3,420,000.00; 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 municipalities 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 Tuma

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0099 was considered and adopted by unanimous vote.

- 3) R2018-0100: A Resolution declaring that public convenience and welfare requires resurfacing East 131st Street from Miles Road to Forestdale Drive in the Cities of Cleveland and Garfield Heights; total estimated project cost \$1,940,000.00; 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 municipalities 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 Councilmembers Jones and Conwell

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2018-0100 was considered and adopted by unanimous vote.

- 4) R2018-0101: A Resolution declaring that public convenience and welfare requires resurfacing Mastick Road from the Fairview Park West Corporation Line to Eaton Road in the City of Fairview Park; total estimated project cost \$1,690,000.00; 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 Baker

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2018-0101 was considered and adopted by unanimous vote.

- 5) R2018-0102: A Resolution declaring that public convenience and welfare requires resurfacing Hilliard Boulevard from River Oaks Drive to Lakeview Avenue in the City of Rocky River; total estimated project cost \$1,600,000.00; 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 Baker

On a motion by Mr. Tuma with a second by Mr. Gallagher, Resolution No. R2018-0102 was considered and adopted by unanimous vote.

- 6) R2018-0103: A Resolution declaring that public convenience and welfare requires resurfacing Sprague Road from Broadview Road to the Broadview Heights/Seven Hills East Corporation Line in the Cities of Broadview Heights and Seven Hills; total estimated project cost \$1,310,000.00; 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 municipalities 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 Schron

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0103 was considered and adopted by unanimous vote.

- 7) R2018-0104: A Resolution declaring that public convenience and welfare requires resurfacing of an avenue and a road located in the City of Cleveland in connection with the 2019 Operations Resurfacing Program; total estimated project cost \$1,210,000.00; 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 projects; and declaring the necessity that this Resolution become immediately effective:
- i) Shaw Avenue from St. Clair Avenue to the Cleveland East Corporation Line.
 - ii) Eddy Road from Gray Avenue to Arlington Avenue.

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

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2018-0104 was considered and adopted by unanimous vote.

- 8) R2018-0105: A Resolution declaring that public convenience and welfare requires resurfacing Cedar Road from S.O.M. Center Road to Woodstock Road in the Villages of Gates Mills and Hunting Valley; total estimated project cost \$1,200,000.00; 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 municipalities 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. Tuma with a second by Ms. Brown, Resolution No. R2018-0105 was considered and adopted by unanimous vote.

- 9) R2018-0110: A Resolution authorizing an amendment to Contract No. CE1600242-01 with United Labor Agency, Inc. for operation of the Workforce Service Center, job seekers and employer services, and management of the On-the-Job Training Program in connection with the Workforce Innovation and Opportunity Act for the period 7/1/2016 - 6/30/2018 to extend the time period to 6/30/2019 and for additional funds in the amount not-to-exceed \$2,527,776.00; 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 Workforce Development in partnership with City of Cleveland/Cuyahoga County Workforce Development Board

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2018-0110 was considered and adopted by unanimous vote.

d) CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2018-0009: An Ordinance enacting Chapter 206.13: Commission on Human Rights and Title 15: Anti-Discrimination to ensure equal opportunity and treatment for all citizens of Cuyahoga County.

Sponsors: County Executive Budish and Councilmembers Brady, Miller, Houser **and Simon**

Council President Brady referred Ordinance No. O2018-0009 to the Committee of the Whole.

e) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2018-0008.

- 1) O2018-0008: An Ordinance amending Section 9.07 of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual and approving certain straight time cash payments in lieu of exchange time for hours worked in excess of forty in a work week in the total amount not-to-exceed \$85,529.59 for sexennial and triennial real estate assessments for the period 4/29/2018 - 7/27/2018, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer and Department of Human Resources

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

On a motion by Ms. Brown with a second by Mr. Brady, Ordinance No. O2018-0008 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, June 18, 2018 at 1:00 p.m.

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, June 19, 2018 at 10:00 a.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, June 20, 2018 at 10:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, June 20, 2018 at 3:00 p.m.

Council President Brady reported that calendar appointments would be sent to Councilmembers regarding confirmation hearings and discussions of the anti-discrimination ordinance, charter amendments and ERP project.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:29 p.m., without objection.