



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, APRIL 14, 2015
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 Jones, Brown, Hairston, Greenspan, Miller, Germana, Gallagher, Schron, Conwell and Brady were in attendance and a quorum was determined. Councilmember Simon entered the meeting shortly after the roll call was taken.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady asked for a moment of silent meditation be dedicated to personal reflections.

5. PUBLIC COMMENT RELATED TO AGENDA

Rev. Pamela Pinkney-Butts addressed Council in support of Resolution No. R2015-0047, a Resolution confirming the County Executive's appointment of Clifford E. Pinkney, upon his taking the oath of office, as Cuyahoga County Sheriff.

Mr. Maurice Rhoades addressed Council regarding issues of concern to him relating to various non-agenda items.

Mr. Satindur Puri addressed Council regarding issues of concern to him relating to Resolution No. R2015-0049, a Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$13,000,000.00, for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square.

6. APPROVAL OF MINUTES

- a) March 24, 2015 Committee of the Whole Meeting
- b) March 24, 2015 Regular Meeting

A motion was made by Mr. Germana, seconded by Mr. Brady and approved by unanimous vote to approve the minutes of the March 24, 2015 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

Clerk Schmotzer announced various parking-related policy changes for County employees attending Council meetings.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **In recognition of Foster Care Month, recently attended an event at the I-X Center where the County partnered with the NAACP to host more than 2,000 foster care children and their families.**
- b) **The State of the County address will be delivered at the Parma-Snow branch of the Cuyahoga County Library on April 15, 2015 at 7:00 p.m.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) **CONSIDERATION OF A RESOLUTION OF COUNCIL 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 No. R2015-0064.

- 1) R2015-0064: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Service Employees International Union, District 1199, WV/KY/OH, the Healthcare and Social Services Union, representing approximately 386 employees in various classifications in Adult Services for the period 1/1/2013 - 12/31/2015 to extend the time period to 12/31/2017 and to modify language in various Articles; 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.

Sponsors: Council President Brady on behalf of Cuyahoga County Board of Developmental Disabilities

Clerk Schmotzer read Resolution No. R2015-0064 into the record. No legislative action was taken by Council.

b) COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES OF COUNCIL FOR SECOND READING

- 1) O2015-0004: An Ordinance establishing the process by which county officers or employees serving on public bodies may designate alternates to serve in their stead, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Brady and Miller

Committee Assignment and Chair: Council Operations & Intergovernmental Relations – Miller

Clerk Schmotzer read Ordinance No. O2015-0004 into the record.

This item will move to the April 28, 2015 Council meeting agenda for consideration for third reading adoption.

- 2) O2015-0005: An Ordinance enacting Section 206.12 of the Cuyahoga County Code to specify the County's representation on the Cuyahoga County Planning Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Simon and Miller

Committee Assignment and Chair: Council Operations & Intergovernmental Relations – Miller

Clerk Schmotzer read Ordinance No. O2015-0005 into the record.

This item will move to the April 28, 2015 Council meeting agenda for consideration for third reading adoption.

- 3) O2015-0006: An Ordinance enacting the Board of Control Consolidation Act, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Brady

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

Clerk Schmotzer read Ordinance No. O2015-0006 into the record.

This item will move to the April 28, 2015 Council meeting agenda for consideration for third reading adoption.

10. LEGISLATION INTRODUCED BY EXECUTIVE

- a) CONSIDERATION OF A RESOLUTION 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 No. R2015-0065.

- 1) R2015-0065: A Resolution amending the 2014/2015 Biennial Operating Budget for 2015 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 & Management

A motion was made by Mr. Greenspan, seconded by Mr. Schron and approved by unanimous vote to amend Resolution No. R2015-0065 by deleting items “R,” “S,” “T1,” “T2,” and “U” in Section 1.

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2015-0065 was considered and adopted by unanimous vote, as amended.

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

- 1) R2015-0066: A Resolution confirming the County Executive’s appointment of Robert J. Triozzi, upon his taking the oath of office, as Cuyahoga County Director of Law; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2015-0066 to the Committee of the Whole.

- 2) R2015-0067: A Resolution making an award on RQ32725 to The C.A. Agresta Construction Co. in the amount not-to-exceed \$1,084,063.15 for resurfacing Biddulph Road from the Cleveland West Corporation Line to Pearl 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 \$7.50 License Tax Funds in said amount to fund said contract; 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. R2015-0067 to the Public Works, Procurement & Contracting Committee.

- 3) R2015-0068: A Resolution making an award on RQ33138 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$8,209,055.10 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; 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 in the amount of \$1,641,811.02 to fund 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. R2015-0068 to the Public Works, Procurement & Contracting Committee.

- 4) R2015-0069: A Resolution making an award on RQ33145 to Karvo Paving, Co. in the amount not-to-exceed \$1,811,511.18 for resurfacing Emery Road from Northfield Road to Merrygold Avenue in the City of Warrensville Heights and Village of North Randall; 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 in the amount of \$362,302.24 to fund 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 Brown**

Council President Brady referred Resolution No. R2015-0069 to the Public Works, Procurement & Contracting Committee.

- 5) R2015-0070: A Resolution authorizing an agreement with City of Euclid for participation in the Cuyahoga County Benefits Regionalization Program for the period 4/1/2015 - 12/31/2017; 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/Department of Human Resources

Council President Brady referred Resolution No. R2015-0070 to the Human Resources, Appointments & Equity Committee.

- 6) R2015-0071: A Resolution authorizing the County Executive to accept dedication of land for Schady Elm Lane in Schady Reserve Subdivision (Phase 1), located in Olmsted Township, as a public street (60 feet total) with established setback lines, rights-of-way and easements; authorizing the County Executive to accept dedication of land on the southerly side of Schady Road, plus 10 additional feet (35 feet total) to public use in Schady Reserve Subdivision (Phase 1); authorizing the County Executive to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 1) to public use granted to the County of Cuyahoga and its corporate successors; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Planning Commission

Council President Brady referred Resolution No. R2015-0071 to the Public Works, Procurement & Contracting Committee.

- 7) R2015-0072: A Resolution authorizing a revenue generating agreement with The Arc of Greater Cleveland in the amount not-to-exceed \$3.00 for lease of space at William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, for the period 7/1/2015 - 6/30/2018; 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 on behalf of Cuyahoga County Board of Developmental Disabilities

Council President Brady referred Resolution No. R2015-0072 to the Public Works, Procurement & Contracting Committee.

- 8) R2015-0073: A Resolution authorizing amendments to various revenue generating agreements with Educational Service Center of Cuyahoga County for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Help Me Grow Programs for the period 9/15/2013 - 9/14/2015 to extend the time period to

9/14/2016 and for additional funds in the total amount not-to-exceed \$2.00; 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) Green Road Services Center, located at 4329 Green Road, Highland Hills.
- ii) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland.

Sponsors: County Executive Budish on behalf of Cuyahoga County Board of Developmental Disabilities

Council President Brady referred Resolution No. R2015-0073 to the Public Works, Procurement & Contracting Committee.

- 9) R2015-0074: A Resolution authorizing an amendment to Contract No. CE1400085-01 with The East End Neighborhood House Association for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 5/1/2014 - 4/30/2015 to extend the time period to 3/31/2017 and for additional funds in the amount not-to-exceed \$640,928.00; 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 Children and Family Services

Council President Brady referred Resolution No. R2015-0074 to the Health, Human Services & Aging Committee.

- 10) R2015-0075: A Resolution authorizing an amendment to Contract No. CE1300126-01-04 with Emerald Development and Economic Network, Inc. for rapid re-housing services for the Emergency Solutions Grant Program for the period 10/1/2012 - 12/31/2015 for additional funds in the amount not-to-exceed \$563,617.00; 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

Council President Brady referred Resolution No. R2015-0075 to the Health, Human Services & Aging Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2015-0049: A Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$13,000,000.00, for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square, together with all necessary 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 one or more agreements in cooperation with other parties and in furtherance of the project, authorizing the preparation and use of a preliminary official statement; authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a trust indenture and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Bond Counsel: Squire Patton Boggs

Committee Assignment and Chair: Committee of the Whole – Brady

Clerk Schmotzer read Resolution No. R2015-0049 into the record.

This item will move to a future Council meeting agenda for consideration for third reading adoption pending receipt by Council of specified documents referred to in Resolution No. R2015-0049.

- 2) R2015-0063: A Resolution authorizing an amendment to Contract No. CE1400215-01 with Americab Transportation, Inc. for transportation services for the period 9/1/2014 - 8/31/2016 for additional funds in the amount not-to-exceed \$4,400,000.00; 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 Health and Human Services/Cuyahoga Job and Family Services

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

Clerk Schmotzer read Resolution No. R2015-0063 into the record.

This item will move to the April 28, 2015 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. R2015-0047, R2015-0050, R2015-0061 and R2015-0062.

- 1) R2015-0047: A Resolution confirming the County Executive's appointment of Clifford E. Pinkney, upon his taking the oath of office, as Cuyahoga County Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Germana, Conwell, Hairston **and Gallagher**

Committee Assignment and Chair: Committee of the Whole – Brady

On a motion by Mr. Gallagher with a second by Mr. Jones, Resolution No. R2015-0047 was considered and adopted by unanimous vote.

[Clerk's Note: Immediately after passage of Resolution No. R2015-0047, County Executive Budish administered the oath of office to Clifford Pinkney.]

- 2) R2015-0050: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Beachwood on behalf of Eastside Departments Group Enforcement in the amount not-to-exceed \$1,968,000.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 - 1/31/2016; 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 and **Simon**

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

On a motion by Ms. Simon with a second by Mr. Gallagher, Resolution No. R2015-0050 was considered and adopted by unanimous vote.

- 3) R2015-0061: A Resolution authorizing a loan application to Ohio Environmental Protection Agency Water Pollution Control Loan Fund in the amount of \$1,875,000.00 for a new sanitary sewer structure located in Olmsted Township; authorizing the Director of Public Works, on behalf of the County Executive, to execute and submit said loan application; authorizing the County Executive to accept said loan, if approved, and to execute the agreement and all other documents in connection with said loan; authorizing the Director of Public Works to administer said project; 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. Germana with a second by Mr. Gallagher, Resolution No. R2015-0061 was considered and adopted by unanimous vote.

4) R2015-0062: A Resolution making an award on RQ32769 to Perk Company, Inc. in the amount not-to-exceed \$1,427,823.07 for rehabilitation and resurfacing of various bridge decks in various municipalities; 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 said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

- i) Cochran Road Bridge No. 00.27 over Beaver Meadows Creek in the Village of Glenwillow.
- ii) Egbert Road Bridge No. 02.52 over Norfolk Southern Railroad in the City of Bedford.
- iii) Main Avenue (old) Bridge No. 00.18 over Abandoned Norfolk Southern Railroad in the City of Cleveland.
- iv) Monticello Boulevard Bridge No. 03.20 over West Branch of Euclid Creek in the City of South Euclid.

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. Miller, Resolution No. R2015-0062 was considered and adopted by unanimous vote.

e) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING

1) O2014-0031: An Ordinance amending the County's Debarment Law to clarify that the period of debarment under Chapter 505 of the Cuyahoga County Code commences from the date of issuance of the debarment, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Former County Executive FitzGerald/Department of Law and Councilmembers Simon and Miller

Committee Assignment and Chair: Council Operations &
Intergovernmental Relations – Miller

Clerk Schmotzer read Ordinance No. O2014-0031 into the record.

This item will move to the April 28, 2015 Council meeting agenda for consideration for third reading adoption.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, April 22, 2015 at 10:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, April 22, 2015 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

Ms. Simon announced that EarthFest 2015 will be held on Sunday, April 19, 2015, at the County Fairgrounds in Berea. She also stated that she invited Director Edward Kraus to meet with Richmond Heights City Council to discuss his vision for the Department of Regional Collaboration.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Rev. Pamela Pinkney-Butts addressed Council regarding issues of concern to her relating to additional funding for the City of East Cleveland.

Mr. Satindur Puri addressed Council regarding issues of concern to him relating to the sin tax and funding for arts and culture.

14. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Hairston with a second by Mr. Germana, the meeting was adjourned at 5:47 p.m., without objection.