



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 27, 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 5:05 p.m.

2. ROLL CALL

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

A motion was made by Mr. Miller, seconded by Ms. Conwell 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

Council President Brady requested a moment of silent meditation be dedicated in memory of Councilmember Schron's mother, Esther, who recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

Rev. Pamela Pinkney Butts addressed Council relating to various agenda and non-agenda matters.

6. APPROVAL OF MINUTES

- a) October 13, 2015 Committee of the Whole Meeting
- b) October 13, 2015 Regular Meeting
- c) October 20, 2015 Committee of the Whole Meeting

A motion was made by Mr. Hairston, seconded by Mr. Jones and approved by unanimous vote to approve the minutes of the October 13, 2015 and October 20, 2015 Committee of the Whole and October 13, 2015 regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady thanked Councilmembers for their dedication and diligence working on the biennial budget.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **The Cleveland Clinic hosted the 2015 Medical Innovation Summit on October 25-28, 2015 and Case Western Reserve University hosted an Innovation Summit on October 26-28, 2015; and**
- b) **The National Aeronautics and Space Administration (NASA), formerly the National Advisory Committee for Aeronautics (NACA), celebrated its 100th anniversary.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING
 - 1) R2015-0171: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$4,000,000.00 to City of Euclid for the benefit of Phase II of the Waterfront Improvement Plan located in the City of Euclid; directing the Director of Development or his/her designee to prepare all documents to effectuate said loan; directing and 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: Councilmembers Simon, Miller and Greenspan

Committee Assignment and Chair: Committee of the Whole –
Brady

Clerk Schmotzer read Resolution No. R2015-0171 into the record.

This item will move to the November 10, 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. R2015-0217.

- 1) R2015-0217: 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

Mr. Greenspan introduced a proposed substitute to Resolution No. R2015-0217. Discussion ensued.

A motion was then made by Mr. Greenspan, seconded by Mr. Gallagher and approved by unanimous vote to accept the proposed substitute.

On a motion by Mr. Miller with a second by Mr. Greenspan, Resolution No. R2015-0217 was considered and adopted by unanimous vote, as substituted.

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

- 1) R2015-0218: A Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$22,000,000.00, for the purpose of

paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating, upgrading, improving and equipping the Huntington Park Garage, together with connectors and other 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 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/Fiscal Officer/Office of Budget & Management

Council President Brady referred Resolution No. R2015-0218 to the Committee of the Whole.

- 2) R2015-0219: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$500,000.00 to City of Euclid for the benefit of the St. Clair Industrial Roadway Project located at St. Clair Avenue from East 222nd Street to Babbitt Road in the City of Euclid; authorizing the County Executive and Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2015-0219 to the Economic Development & Planning Committee.

- 3) R2015-0220: A Resolution making an award on RQ33385 and authorizing an Economic Development Fund loan to JumpStart, Inc. in the amount not-to-exceed \$2,000,000.00 for administration of the Cuyahoga County Early Stage Loan Fund; authorizing the County Executive and Director of Development to execute all documents consistent with said award and loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2015-0220 to the Economic Development & Planning Committee.

- 4) R2015-0221: A Resolution making an award on RQ33461 and authorizing an Economic Development Fund loan to JumpStart, Inc. in the amount not-to-exceed \$2,500,000.00 for administration of the Cuyahoga County Innovation Match for Pre-Seed Capital Fund Program; authorizing the County Executive and Director of Development to execute all documents consistent with said award and loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2015-0221 to the Economic Development & Planning Committee.

- 5) R2015-0222: A Resolution making an award on RQ34252 to Educational Service Center of Cuyahoga County in the amount not-to-exceed \$602,000.00 for fiscal agent services for Families and Schools Together, Bright Beginnings and Parent Services Programs in connection with the FY2016 Ohio Children's Trust Fund Grant Program for the period 10/1/2015 - 9/30/2016; 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.

Sponsor: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council

Council President Brady referred Resolution No. R2015-0222 to the Education, Environment & Sustainability Committee.

- c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2015-0204: A Resolution confirming the County Executive's reappointment of Erika Anthony to serve on the Cuyahoga

County Public Defender Commission for the term 1/1/2016 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

Clerk Schmotzer read Resolution No. R2015-0204 into the record.

This item will move to the November 10, 2015 Council meeting agenda for consideration for third reading adoption.

- 2) R2015-0212: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of eight years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Health and Human Services and Councilmember Miller

Committee Assignment and Chair: Committee of the Whole – Brady

Clerk Schmotzer read Resolution No. R2015-0212 into the record.

This item will move to the November 10, 2015 Council meeting agenda for consideration for third reading adoption.

- 3) R2015-0213: A Resolution determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of eight years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Health and Human Services and Councilmembers Miller and Conwell

Committee Assignment and Chair: Committee of the Whole – Brady

Clerk Schmotzer read Resolution No. R2015-0213 into the record.

This item will move to the November 24, 2015 Council meeting agenda for consideration for third reading adoption.

- 4) R2015-0214: A Resolution authorizing a contract with United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food purchases for Cuyahoga County residents for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services

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

Clerk Schmotzer read Resolution No. R2015-0214 into the record.

This item will move to the November 10, 2015 Council meeting agenda for consideration for third reading adoption.

- 5) R2015-0215: 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 - 9/30/2015 to extend the time period to 9/30/2016 and for additional funds in the amount not-to-exceed \$1,208,240.00; 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

Clerk Schmotzer read Resolution No. R2015-0215 into the record.

This item will move to the November 10, 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. R2015-0202, R2015-0203, R2015-0206, R2015-0207, R2015-0208 and R2015-0216.

- 1) R2015-0202: A Resolution confirming the County Executive's appointment of various individuals to serve on The MetroHealth System Board of Trustees for an unexpired term ending 2/28/2021; and declaring the necessity that this Resolution become immediately effective:
 - i) Reverend Thomas Anthony Minor
 - ii) Mitchell Schneider

Sponsor: County Executive Budish

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

On a motion by Ms. Conwell with a second by Mr. Brady, Resolution No. R2015-0202 was considered and adopted by majority vote, with Ms. Simon abstaining from the vote.

- 2) R2015-0203: A Resolution confirming the County Executive's appointment of Erika Anthony to serve on the Cuyahoga County Public Defender Commission for an unexpired term ending 12/31/2015, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

On a motion by Ms. Conwell with a second by Mr. Brady, Resolution No. R2015-0203 was considered and adopted by unanimous vote.

- 3) R2015-0206: A Resolution making an award on RQ34074 to R.W. Clark Co. in the amount not-to-exceed \$1,179,073.00 for the Cuyahoga County Courthouse Americans with Disabilities Act Improvements Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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. Miller, Resolution No. R2015-0206 was considered and adopted by unanimous vote.

- 4) R2015-0207: A Resolution authorizing a revenue generating Utility Agreement with Village of Newburgh Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 22; 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/Division of County Engineer **and Councilmember Jones**

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2015-0207 was considered and adopted by unanimous vote.

- 5) R2015-0208: A Resolution authorizing an amendment to Contract No. CE1000546-01 with Pioneer Building II Ltd for lease of office and warehouse space for a Special Waste Convenience Center, located at 4750 East 131st Street, Garfield Heights, for the period 11/1/2010 - 10/31/2015 to extend the time period to 10/31/2020 and for additional funds in the amount not-to-exceed \$1,179,525.00; 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 on behalf of Cuyahoga County Solid Waste District **and Councilmember Jones**

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0208 was considered and adopted by unanimous vote.

- 6) R2015-0216: A Resolution authorizing the execution of a cooperative agreement in furtherance of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development

Committee Assignment and Chair: Finance & Budgeting – Greenspan

On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2015-0216 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2014-0271: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$4,000,000.00 to Landmark-May, LLC for the benefit of the May Company Building Project located at 158 Euclid Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution.

Sponsors: Former County Executive FitzGerald/Department of Development and Councilmembers Conwell, Schron, Miller and Germana

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0271 was considered and adopted by unanimous vote.

- 2) R2015-0181: A Resolution making an award on RQ34100 to Mark Schaffer Excavating & Trucking, Inc. in the amount not-to-exceed \$4,573,614.00 for Cuyahoga County Airport Runway 6/24 Safety Area Improvements Project No. 1 in connection with the Airport Improvement Program; 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.

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0181 was considered and adopted by unanimous vote.

- 3) R2015-0192: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5022 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; 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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2015-0192 was considered and adopted by unanimous vote.

- 4) R2015-0200: A Resolution authorizing a revenue generating agreement with FirstMerit Corporation in the amount of \$10,321,344.00 for the sale of naming rights for the Cleveland Convention Center for the period 11/1/2015 - 10/31/2035; authorizing the County Executive or his authorized designee 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 Public Works

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2015-0200 was considered and adopted by unanimous vote.

- f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2015-0013.

- 1) O2015-0013: An Ordinance enacting Chapter 719 of the Cuyahoga County Code to establish payroll procedures for years in which the number of pay periods exceeds the usual and customary number of pay periods, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Fiscal Officer and Councilmembers Miller, Germana, Conwell, Jones and Simon

Committee Assignment and Chair: Finance & Budgeting – Greenspan

On a motion by Mr. Greenspan with a second by Mr. Miller, Ordinance No. O2015-0013 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, November 4, 2015 at 10:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, November 4, 2015 at 3:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, November 17, 2015 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

Mr. Jones announced that “Eyes on the Prize,” a full-length documentary, featuring 38 local youth from the Students of Promise Closing the Achievement Gap Program in Cuyahoga County on their tour of Morehouse and Spelman Colleges and other

sites commemorating black history as well as science and technology, will be shown at Shaker Square Cinemas on Thursday, October 29, 2015 at 7:00 p.m.

Ms. Conwell announced that she will be hosting a 2015 Proposed Tax Evaluation Forum in District 7 on October 28, 2015 at 5:00 p.m. at the Glenville Recreation Center.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Satindur Puri addressed Council regarding the renewal of the excise tax on cigarette sales in order to fund Cuyahoga County arts and cultural programs.

Mr. Rico Dancy addressed Council regarding the deaf and hard of hearing community.

Ms. Loh addressed Council regarding the Norma Herr Women's Center.

Mr. James Catalano addressed Council regarding the Cuyahoga County Division of Senior & Adult Services.

14. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:52 p.m., without objection.