



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MARCH 22, 2016
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 5:09 p.m.

2. ROLL CALL

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

A motion was then made by Mr. Hairston, seconded by Ms. Brown and approved by unanimous vote to excuse Mr. Jones from the meeting.

[Clerk's Note: Mr. Jones entered the meeting after Item No. 10.b.)]

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady requested a moment of silent meditation be dedicated to the victims of the terrorist attacks in Brussels, Belgium.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Dean Dilzell addressed Council regarding Resolution No. R2016-0061, a Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services.

Ms. Tara Peppard addressed Council regarding the closure of Lakewood Hospital.

Rev. Pamela Pinkney Butts addressed Council regarding Resolution No. R2016-0061, a Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services, and various non-agenda related items.

6. APPROVAL OF MINUTES

- a) March 8, 2016 Committee of the Whole Meeting
- b) March 8, 2016 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the March 8, 2016 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from Council President Brady.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Voters approved Issue 23, Cuyahoga County's Health and Human Services Levy; and**
- b) **Met with Assistant U.S. Department of Energy Secretary David Danielson, Port of Cleveland President & CEO William Friedman and U.S. Representative Marcy Kaptur to discuss the LEEDCo Lake Erie off-shore wind turbine project.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING
 - 1) R2016-0048: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component

Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2020; 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.

Sponsors: Councilmembers Simon **and Miller**

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

Clerk Schmotzer read Resolution No. R2016-0048 into the record.

This item will move to the April 12, 2016 Council meeting agenda for consideration for third reading adoption.

b) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- 1) O2016-0008: An Ordinance amending Section 202.18 of the Cuyahoga County Code to provide for creation and adoption of a County Sustainability Plan.

Sponsors: Councilmembers Miller and Simon and County Executive Budish/Department of Sustainability

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

Clerk Schmotzer read Ordinance No. O2016-0008 into the record.

This item will move to the April 12, 2016 Council meeting agenda for consideration for third reading adoption.

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. R2016-0061 and R2016-0062.

- 1) R2016-0061: A Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

A motion was made by Mr. Brady and seconded by Mr. Miller to adopt Resolution No. R2016-0061. The motion failed by a roll-call vote of 3 yeas and 7 nays with Councilmembers Miller, Germana and Brady voting in the affirmative and Councilmembers Schron, Conwell, Brown, Hairston, Simon, Greenspan and Gallagher casting dissenting votes.

- 2) R2016-0062: 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; **amending Resolution Nos. R2016-0041 and R2016-0050 dated 2/23/2016 and 3/8/2016, respectively, to reconcile appropriations for 2016;** 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. Schron with a second by Mr. Greenspan, Resolution No. R2016-0062 was considered and adopted by unanimous vote.

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

- 1) R2016-0063: A Resolution authorizing a First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00; 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

Council President Brady referred Resolution No. R2016-0063 to the Public Works, Procurement & Contracting Committee.

- 2) R2016-0064: A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; 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 Public Works

Council President Brady referred Resolution No. R2016-0064 to the Committee of the Whole.

- 3) R2016-0065: A Resolution making an award on RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located 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) Eddy Road from St. Clair Avenue to Interstate 90 in the City of Cleveland.
 - ii) East 152nd Street from Coit Avenue to Woodworth Avenue in the City of East Cleveland.

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

Council President Brady referred Resolution No. R2016-0065 to the Public Works, Procurement & Contracting Committee.

- 4) R2016-0066: A Resolution making an award on RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located 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) Emery Road from Warrensville Center Road to Northfield Road in the Village of North Randall.
 - ii) Miles Road from Interstate 480 to North Randall East Corporation Line in the Village of North Randall.
 - iii) Solon Road from Bedford Heights West Corporation Line to Bedford Heights East Corporation Line in the City of Bedford Heights.

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

Council President Brady referred Resolution No. R2016-0066 to the Public Works, Procurement & Contracting Committee.

- 5) R2016-0067: A Resolution making an award on RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019; 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 Human Resources

Council President Brady referred Resolution No. R2016-0067 to the Human Resources, Appointments & Equity Committee.

- 6) R2016-0068: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 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.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0068 to the Education, Environment & Sustainability Committee.

- 7) R2016-0069: A Resolution making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 1/1/2016 - 12/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) for community wraparound care coordination and family/youth advocacy and support services:
 - a) Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b) Beech Brook in the approximate amount of \$1,389,705.42.
 - c) Bellfaire Jewish Children's Bureau in the approximate amount of \$343,137.72.

- d) Catholic Charities Corporation (Parmadale) in the approximate amount of \$2,230,390.95.
- e) OhioGuidestone in the approximate amount of \$514,706.22.
- f) Pressley Ridge in the approximate amount of \$171,569.25.

ii) for evaluation, fidelity and monitoring services:

- a) Case Western Reserve University in the approximate amount of \$450,000.00.

Sponsor: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services

Council President Brady referred Resolution No. R2016-0069 to the Health, Human Services & Aging Committee.

- 8) R2016-0070: A Resolution authorizing an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 12/31/2016; 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 Health and Human Services/Division of Children and Family Services

Council President Brady referred Resolution No. R2016-0070 to the Health, Human Services & Aging Committee.

- 9) R2016-0071: A Resolution authorizing a revenue generating Cooperative Partnership Agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,350,000.00 for eligibility evaluation and supportive services for the period 1/1/2016 - 12/31/2018; 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/Department of Health and Human Services/Division of Children and Family Services **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0071 to the Health, Human Services & Aging Committee.

- 10) R2016-0072: A Resolution authorizing a contract with Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021; 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 on behalf of Cuyahoga County Prosecutor

Council President Brady referred Resolution No. R2016-0072 to the Finance & Budgeting Committee.

- 11) R2016-0073: A Resolution authorizing a contract with InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019; 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 on behalf of Court of Appeals of Ohio, Eighth Appellate District

Council President Brady referred Resolution No. R2016-0073 to the Finance & Budgeting Committee.

- c) 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. R2016-0057, R2016-0058, R2016-0059 and R2016-0060.

- 1) R2016-0057: A Resolution making an award on RQ36073 to Kokosing Construction Company, Inc. in the amount not-to-exceed \$1,628,050.70 for 2016 Operations Resurfacing Program – Group 4, located 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) Bradley Road from North Olmsted West Corporation Line to Center Ridge Road in the Cities of North Olmsted and Westlake.
 - ii) Mastick Road from Columbia Road to North Olmsted East Corporation Line in the City of North Olmsted.

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. R2016-0057 was considered and adopted by unanimous vote.

- 2) R2016-0058: A Resolution authorizing an amendment to Agreement No. AG1400025-01 with Cuyahoga County Board of Developmental Disabilities for Individual Options Waiver eligibility verification services for reimbursement of Medicaid Home and Community-Based Services for the period 1/1/2014 - 12/31/2015 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,338,444.41; 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

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2016-0058 was considered and adopted by unanimous vote.

- 3) R2016-0059: A Resolution authorizing agreements with various providers, in the total amount not-to-exceed \$11,971,371.64, for child support services for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$4,289,173.92.
 - ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,930,853.72.
 - iii) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$3,751,344.00.

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

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

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0059 was considered and adopted by unanimous vote.

- 4) R2016-0060: A Resolution authorizing agreements with various providers, in the total amount not-to-exceed \$91,857.49, for child support services for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$67,965.33.

- ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$23,892.16.

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

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

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2016-0060 was considered and adopted by unanimous vote.

d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0038: A Resolution authorizing the County Executive, on behalf of the County, to endorse the Memorandum of Understanding among City of Cleveland, Construction Employers Association, Hispanic Roundtable, Hard Hatted Women, Urban League of Greater Cleveland, Greater Cleveland Partnership, Cuyahoga Community College, Cleveland Metropolitan School District and Cleveland Building and Construction Trades Council regarding Community Benefits and Inclusion; authorizing the County Executive to execute the Memorandum of Understanding and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

On a motion by Mr. Germana with a second by Ms. Brown, Resolution No. R2016-0038 was considered and adopted by unanimous vote.

- 2) R2016-0042: A Resolution declaring that public convenience and welfare requires replacement of Pleasant Valley Bridge No. 09.68 over Cuyahoga River in the City of Independence and Village of Valley View; total estimated project cost \$10,000,000.00; 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 and execute 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. Germana with a second by Mr. Miller, Resolution No. R2016-0042 was considered and adopted by unanimous vote.

- 3) R2016-0043: A Resolution declaring that public convenience and welfare requires rehabilitation of Cedar Point Bridge No. 00.49 over Rocky River located in Cleveland Metropolitan Park District in the City of North Olmsted; total estimated project cost \$2,268,000.00; 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 and execute all necessary agreements with said District and 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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0043 was considered and adopted by unanimous vote.

- 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 Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2016-0009.

- 1) O2016-0009: An Ordinance enacting Chapter 808 of the Cuyahoga County Code to establish the Cuyahoga County Green Community Program and provide for matters relating to said Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Department of Sustainability and Councilmembers Miller **and Simon**

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

On a motion by Ms. Simon with a second by Mr. Miller, Ordinance No. O2016-0009 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, March 28, 2016 and Monday, April 11, 2016 at 1:00 p.m.

Mr. Miller reported that the Council Operations & Intergovernmental Relations Committee will meet on Tuesday, March 29, 2016 at 3:00 p.m.

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, March 23, 2016 at 10:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, March 29, 2016 at 10:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, March 30, 2016 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

Ms. Brown thanked everyone for their condolences for the loss of her grandfather.

Ms. Simon thanked Mr. Gallagher for holding a Public Safety & Justice Affairs Committee meeting to discuss animal abuse allegations at the County Fairgrounds.

13. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding fare increases proposed by the Greater Cleveland Regional Transit Authority:

- a) Mr. Rico Dancy**
- b) Rev. Pamela Pinkney Butts**

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

- a) R2016-0032: A Resolution approving the appropriation of funds for Year 2016 based on the Statement of Appropriation Status dated 12/31/2015, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget and Management

Clerk Schmotzer reported that Resolution No. R2016-0032 was withdrawn at the request of the Fiscal Officer as it was subsequently determined by the State Auditor and Director of Law that Council action was not required.

15. ADJOURNMENT

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