



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 10, 2017
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 Deputy Clerk Carter to call the roll. Councilmembers Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Simon, Baker and Brady were in attendance and a quorum was determined.

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 well wishes for the new year and progress for the County.

5. PUBLIC COMMENT RELATED TO AGENDA

Rev. Pamela Pinkney-Butts addressed Council regarding various agenda and non-agenda items.

6. APPROVAL OF MINUTES

- a) December 28, 2016 Special Meeting
- b) January 3, 2017 Organizational Meeting

A motion was made by Mr. Hairston, seconded by Mr. Gallagher and approved by majority vote to approve the minutes of the December 28, 2016 Special and January 3, 2017 Organizational meetings, with Councilmembers Brown, Baker and Tuma abstaining from the vote.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady announced that the 2017-2018 session marks the fourth session of County Council. Committee assignments were recently finalized and he is looking forward to working with everyone in order to make the best decisions for the County.

8. MESSAGES FROM THE COUNTY EXECUTIVE

On behalf of County Executive Budish, Mr. Edward Kraus, Director of the Department of Regional Collaboration, reported that the County Executive is also looking forward to working with Council.

9. LEGISLATION INTRODUCED BY COUNCIL

a) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- 1) R2016-0232: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Conwell on behalf of Cuyahoga County Personnel Review Commission

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

Deputy Clerk Carter read Resolution No. R2016-0232 into the record.

This item will move to the January 24, 2017 Council meeting agenda for consideration for third reading adoption.

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

- 1) O2016-0013: An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County

Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.

Sponsors: Councilmembers Simon, Hairston and Miller

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

Deputy Clerk Carter read Ordinance No. O2016-0013 into the record.

This item will move to the January 24, 2017 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. Miller and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2017-0002.

- 1) R2017-0002: A Resolution amending the 2016/2017 Biennial Operating Budget for 2017 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Mr. Hairston, Resolution No. R2017-0002 was considered and adopted by unanimous vote.

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

- 1) R2017-0003: A Resolution confirming the County Executive's reappointment of Michael Abouserhal to serve on the Cuyahoga County Audit Committee for the term 1/1/2017 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2017-0003 to the Human Resources, Appointments & Equity Committee.

- 2) R2017-0004: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cuyahoga County Board of Developmental Disabilities for various terms, and declaring the necessity that this Resolution become immediately effective:

- i) Appointment for the term 2/1/2017 - 1/31/2021:

- a) Cynthia Schulz

- ii) Reappointments for the term 3/1/2017 - 2/28/2021:

- a) Steven Licciardi

- b) Tania Younkin

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2017-0004 to the Human Resources, Appointments & Equity Committee.

- 3) R2017-0005: A Resolution making an award on RQ38269 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$6,973,651.30 for the 2016 Operations Resurfacing Program for Bagley Road from Olmsted Township West Corporation Line to Fitch Road in Olmsted Township; 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 \$2,859,197.03 to fund said contract; 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: County Executive Budish/Department of Public Works/Division of County Engineer **and Councilmember Gallagher**

Council President Brady referred Resolution No. R2017-0005 to the Public Works, Procurement & Contracting Committee.

- 4) R2017-0006: A Resolution making an award on RQ38075 to Oriana House, Inc. in the amount not-to-exceed \$1,800,000.00 for operation of a one-stop Re-entry Resource Center for the period 1/1/2017 - 12/31/2019; 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 Health and Human Services/Division of Community Initiatives/Office of Re-entry

Council President Brady referred Resolution No. R2017-0006 to the Health, Human Services & Aging Committee.

- c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2016-0235: A Resolution confirming the County Executive's appointment of The Honorable Pamela E. Bobst to serve on the Cuyahoga County Planning Commission representing the Westshore Region for an unexpired term ending 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

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

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

Deputy Clerk Carter read Resolution No. R2016-0235 into the record.

This item will move to the January 24, 2017 Council meeting agenda for consideration for third reading adoption.

d) DISCHARGE FROM COMMITTEE AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Brady, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 12S and 9D.

A motion was then made by Mr. Brady, seconded by Mr. Gallagher and approved by unanimous vote to dispense with committee review and discharge Resolution Nos. R2016-0241 and R2016-0242 from the Public Safety & Justice Affairs Committee to the full Council for consideration for second reading adoption.

- 1) R2016-0241: A Resolution authorizing an amendment to a revenue generating agreement with City of Cleveland/ Cleveland Municipal Court for legal services for indigent persons for the period 1/1/2015 - 12/31/2015 to exercise an option to extend the time period to 12/31/2016 and for additional revenue in the amount not-to-exceed \$1,922,185.00; 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 on behalf of Cuyahoga County Public Defender Commission and Councilmember Hairston

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

Mr. Robert Tobik, Chief Public Defender, addressed Council regarding Resolution No. R2016-0241. Discussion ensued.

Councilmembers asked questions of Mr. Tobik pertaining to the item, which he answered accordingly.

On a motion by Mr. Gallagher with a second by Mr. Hairston, Resolution No. R2016-0241 was considered and adopted by unanimous vote.

- 2) R2016-0242: A Resolution making an award on RQ38215 to Mental Health Services for Homeless Persons, Inc. dba Frontline Service in the amount not-to-exceed \$898,300.00 for Children Who Witness Violence Program services for the period 1/1/2017 - 12/31/2018; 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: County Executive Budish/Department of Public Safety and Justice Services/Division of Witness/Victim and Councilmembers Hairston **and Conwell**

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

Ms. Brandy Carney, Director of the Department of Public Safety & Justice Services, addressed Council regarding Resolution No. R2016-0242. Discussion ensued.

Councilmembers asked questions of Ms. Carney pertaining to the item, which she answered accordingly.

On a motion by Mr. Gallagher with a second by Mr. Hairston, Resolution No. R2016-0242 was considered and adopted by unanimous vote.

- e) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Miller and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2016-0236, R2016-0237, R2016-0238, R2016-0239 and R2016-0240.

- 1) R2016-0236: A Resolution approving an adjustment of the municipal boundary between Village of Brooklyn Heights and City of Seven Hills in connection with Permanent Parcel Nos. 551-10-081 and 551-10-087 located in the City of Seven Hills to be located entirely within the municipal boundary of the Village of Brooklyn Heights; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2016-0236 was considered and adopted by unanimous vote.

- 2) R2016-0237: A Resolution authorizing a contract with Greater Cleveland Regional Transit Authority in the amount not-to-

exceed \$438,185.28 for lease of space at the Harvard Garage located at 2501 Harvard Avenue, Newburgh Heights, for the period 1/1/2016 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

Mr. Michael Dever, Director of the Department of Public Works, addressed the Committee regarding Resolution No. R2016-0237. Discussion ensued.

Councilmembers asked questions of Mr. Dever pertaining to the item, which he answered accordingly.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2016-0237 was considered and adopted by unanimous vote.

- 3) R2016-0238: A Resolution authorizing an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space located at 4621 Fulton Parkway, Cleveland, for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-to-exceed \$4,320,524.80; 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/Departments of Public Works and Health and Human Services and Councilmember Conwell

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2016-0238 was considered and adopted by unanimous vote.

- 4) R2016-0239: A Resolution making an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed

\$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary 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 \$5.00 License Tax Funds; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmembers Germana, Miller and Conwell

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

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2016-0239 was considered and adopted by unanimous vote.

- 5) R2016-0240: A Resolution authorizing an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 - 10/31/2016 to extend the time period to 10/31/2021, to change the terms, effective 11/1/2016, and for additional funds in the amount not-to-exceed \$314,688.40; 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 and Fiscal Officer and Councilmember Germana

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

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2016-0240 was considered and adopted by unanimous vote.

f) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0227: A Resolution authorizing an amendment to Contract No. CE1500235-01 with N. Harris Computer

Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00; 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/Fiscal Officer

Mr. Dennis Kennedy, Fiscal Officer, addressed Council regarding Resolution No. R2016-0227. Discussion ensued.

Councilmembers asked questions of Mr. Kennedy pertaining to the item, which he answered accordingly.

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2016-0227 was considered and adopted by majority vote, with Mr. Gallagher casting the only dissenting vote.

- 2) R2016-0228: A Resolution authorizing an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00; 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/Fiscal Officer

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2016-0228 was considered and adopted by majority vote, with Mr. Gallagher casting the only dissenting vote.

- 3) R2016-0229: A Resolution authorizing an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00; 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/Fiscal Officer

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2016-0229 was considered and adopted by majority vote, with Mr. Gallagher casting the only dissenting vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, January 17, 2017 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Rev. Pamela Pinkney Butts addressed Council regarding various agenda and non-agenda items.

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

- a) R2016-0095: A Resolution appointing Valerie J. Harry, upon her taking the oath of office, to serve as Director of Internal Auditing of Cuyahoga County for the term 7/1/2016 - 6/30/2020; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of County Audit Committee

[Clerk's Note: This item was withdrawn at the request of the sponsors due to the retirement of Ms. Harry and the appointment of a new Director of Internal Auditing.]

15. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:43 p.m., without objection.