



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 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 Clerk Schmotzer to call the roll. Councilmembers Hairston, Simon, Baker, Miller, Tuma, Gallagher, Conwell, Jones, Brown 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 asked that a moment of silent meditation be dedicated to victims of the tragedy in Las Vegas, Nevada and their families.

5. PUBLIC COMMENT RELATED TO AGENDA

The following individuals addressed Council regarding Ordinance No. O2017-0006, an Ordinance enacting Chapter 721 of the Cuyahoga County Code to authorize a Carryout Bag Fee for Environmental Remediation:

- a) Ms. Anne Caruso
- b) Ms. Destinee Henton
- c) Ms. Cindy Demsey
- d) Ms. Diane Bickett
- e) Ms. Erin Huber
- f) Mr. Meiring Borchers
- g) Mr. Scott Williams-Riseng

6. APPROVAL OF MINUTES

- a) September 26, 2017 Committee of the Whole Meeting
- b) September 26, 2017 Regular Meeting

A motion was made by Mr. Hairston, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the September 26, 2017 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady commented that there is a need for commonsense gun control in our Country after the many senseless tragedies that have occurred in recent months.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that bonds for the Quicken Loans Transformation Project were sold last week and that the County's bond ratings were reaffirmed and are very favorable.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2017-0168: A Resolution adopting the 2017 Cuyahoga County Sustainability Plan in accordance with Section 202.18 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.

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

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

Clerk Schmotzer read Resolution No. R2017-0168 into the record.

Ms. Simon introduced a proposed substitute on the floor to Resolution No. R2017-0168 to amend Department Strategy 7 of the County Sustainability Plan. Discussion ensued.

A motion was then made by Ms. Simon, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute.

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

b) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL 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 Resolution Nos. R2017-0167, R2017-0169, R2017-0170 and R2017-0171.

- 1) R2017-0167: A Resolution authorizing the Veterans Service Commission to issue Ohio veterans identification cards to qualified individuals, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Brady, Tuma, Miller, Schron, Gallagher, Brown, Hairston, Baker, Jones **and Simon**

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2017-0167 was considered and adopted by unanimous vote.

- 2) R2017-0169: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 and awarding a Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; authorizing the County Executive and Director of Development or his/her designee to prepare all documents to effectuate said loan and grant; authorizing the County Executive and/or Director of Development to execute all documents consistent with said

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

Sponsors: Councilmembers Conwell, Hairston, Simon, Jones, Brady and Gallagher

Committee Assignment and Chair: Community Development – Hairston

On a motion by Mr. Hairston with a second by Mr. Brady, Resolution No. R2017-0169 was considered and adopted by majority vote, with Ms. Conwell recusing herself from the vote.

- 3) R2017-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of ecologically significant areas located within the Cuyahoga River Valley, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2017-0170 was considered and adopted by unanimous vote.

- 4) R2017-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Brook Park for the conservation of ecologically significant areas in the Abram Creek City-wide Greenway Trail – Phase I in the City of Brook Park, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller on behalf of Cuyahoga County Planning Commission

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

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2017-0171 was considered and adopted by unanimous vote.

c) CONSIDERATION OF ORDINANCES OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2017-0005: An Ordinance amending Section 303.05 of the Cuyahoga County Code to establish the process for promotional appointments.

Sponsors: Councilmembers Brown and Miller

Council President Brady referred Ordinance No. O2017-0005 to the Human Resources, Appointments & Equity Committee.

- 2) O2017-0006: An Ordinance enacting Chapter 721 of the Cuyahoga County Code to authorize a Carryout Bag Fee for Environmental Remediation.

Sponsors: Councilmembers Simon and Miller

Council President Brady referred Ordinance No. O2017-0006 to the Education, Environment & Sustainability Committee.

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 Ms. Brown and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2017-0179.

- 1) R2017-0179: 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 Ms. Conwell, Resolution No. R2017-0179 was considered and adopted by unanimous vote.

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

- 1) R2017-0180: A Resolution authorizing an amendment to an agreement with Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 10/24/2017 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 10/24/2017; 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. R2017-0180 to the Public Works, Procurement & Contracting Committee.

- 2) R2017-0181: A Resolution authorizing an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office, located at 5361 Pearl Road, Parma, for the period 9/1/2010 - 8/31/2017 to extend the time period to 8/31/2022 and for additional funds in the amount not-to-exceed \$264,300.00; 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 Court of Common Pleas/Juvenile Division

Council President Brady referred Resolution No. R2017-0181 to the Public Works, Procurement & Contracting Committee.

- 3) R2017-0182: A Resolution adopting the 2018/2019 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.

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

Mr. Miller introduced a proposed substitute on the floor to Resolution No. R2017-0182 to add the 2018/2019 Biennial Operating Budget and Capital Improvements Program document into the Resolution. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to accept the proposed substitute.

Council President Brady referred Resolution No. R2017-0182 to the Committee of the Whole, as substituted.

- 4) R2017-0183: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

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

After reading Resolution No. R2017-0183 into the record, Clerk Schmotzer reported that the Administration had requested the item be considered for first reading adoption under suspension of rules due to time constraints.

A motion was then 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 No. R2017-0183.

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2017-0183 was considered and adopted by unanimous vote.

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

- 1) R2017-0176: A Resolution accepting a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance the Broadrock Drill Drop Project in the City of Parma; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan 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 – Tuma

Clerk Schmotzer read Resolution No. R2017-0176 into the record.

This item will move to the October 24, 2017 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 Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2017-0174, R2017-0175, R2017-0177 and R2017-0178.

- 1) R2017-0174: A Resolution authorizing the County Executive to accept and approve various dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights; 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/Department of Public Works and Councilmember Brown

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

On a motion by Mr. Tuma with a second by Ms. Brown, Resolution No. R2017-0174 was considered and adopted by unanimous vote.

- 2) R2017-0175: A Resolution authorizing a second amendment to Contract No. CE1300548-01 with MariSupHam, LLC for lease of office space in the Marion Building, located at 1276 West 3rd Street, Cleveland, for the period 12/1/2013 - 10/31/2017 to extend the time period to 10/31/2018 and for additional funds in the amount not-to-exceed \$1,219,536.00; 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 **and Councilmember Conwell**

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

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2017-0175 was considered and adopted by unanimous vote.

- 3) R2017-0177: A Resolution making awards on RQ39790 to various providers, in the total amount not-to-exceed \$2,328,000.00, for various real estate review and appraisal services in connection with the 2018 Sexennial Reappraisal for the period 7/17/2017 - 5/31/2018; authorizing the County Executive to execute the master contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2017-0177 was considered and adopted by unanimous vote.

- 4) R2017-0178: A Resolution authorizing an amendment to Contract No. CE1400326-01 with United Healthcare Services, Inc. for group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2015 - 12/31/2017 for additional funds in the amount not-to-exceed \$12,200,000.00; 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 Human Resources

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

On a motion by Mr. Brown with a second by Ms. Conwell, Resolution No. R2017-0178 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2017-0154: A Resolution confirming the County Executive's appointment of Michael P. Foley to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2017-0154 was considered and adopted by unanimous vote.

- 2) R2017-0155: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms, and declaring the necessity that this Resolution become immediately effective:

- i) Appointments for an unexpired term ending 6/30/2020:

- a) Sheila Wright
- b) Grace Gallucci
- c) C. Jay Matthews

- ii) Reappointment:

- a) Kim Shelnick for the term 7/1/2017 - 6/30/2020

Sponsor: County Executive Budish

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2017-0155 was considered and adopted by unanimous vote.

- 3) R2017-0159: A Resolution authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary

Sewerage Systems, located in County Sewer District No. 21; 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/Division of County Engineer **and Councilmember Brown**

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2017-0159 was considered and adopted by unanimous vote.

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

- 1) O2017-0004: An Ordinance amending Section 501.15 of the Cuyahoga County Code to modify the requirements of contractors, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer

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

Clerk Schmotzer read Ordinance No. O2017-0004 into the record.

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

11. MISCELLANEOUS COMMITTEE REPORTS

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

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 11, 2017 at 10:00 a.m.

Ms. Conwell reported that the Health, Human Services & Aging Committee will meet on Wednesday, October 18, 2017 at 1:00 p.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, October 18, 2017 at 3:00 p.m.

Mr. Miller reported that the Committee of the Whole will meet regarding the 2018/2019 biennial budget on Monday, October 16, 2017 at 1:00 p.m.; Thursday, October 19, 2017 at 10:00 a.m. and again at 2:00 p.m.; Monday, October 23, 2017 at 1:00 p.m.; and Tuesday, October 24, 2017 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council:

- a) Mr. Dwight Yancy regarding issues concerning his elderly father;**
- b) Ms. Paula Harris regarding a pending County legal issue;**
- c) Mr. Christopher Knestrick, Director of Operations for the Northeast Ohio Coalition for the Homeless, regarding homelessness and a request for proposals for operation of the women's shelter;**
- d) Ms. Paula Price regarding a pending County legal issue; and**
- e) Ms. Loh regarding various homelessness issues.**

14. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:53 p.m., without objection.