



MINUTES

**CUYAHOGA COUNTY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, SEPTEMBER 13, 2022
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
2:00 PM**

1. CALL TO ORDER

Council President Jones called the meeting to order at 2:05 p.m.

2. ROLL CALL

Council President Jones asked Clerk Richardson to call the roll. Councilmembers, Baker, Miller, Sweeney, Tuma, Gallagher, Turner, Simon, and Jones were in attendance and a quorum was determined. Councilmember Schron was absent from the meeting. Councilmembers Conwell and Stephens joined the meeting shortly after the roll-call was taken.

Council President Jones opened the first Public Hearing pertaining to Ordinance Nos. O2022-0005; O2022-0006 and other items referred. He stated that the Committee will hear six items related to the County jail and that the first two Ordinances relate to the extension of the County's quarter-percent sales tax as part of the jail financing plan. Mr. Jones said the Committee would not be voting on any legislation today, as the purpose of the meeting is to hear feedback during public comment, listen to the presentation from the administration, and continue the dialogue around the legislation.

Council President Jones also stated that Ohio law requires the Committee to hold two public hearings before passage of the legislation to extend the sales tax. Today's meeting will serve as the first public hearing on these items, and the second public hearing will be held in Committee of the Whole on Thursday, September 22 at 10:00am and the Committee will schedule additional meetings if necessary.

3. PUBLIC COMMENT

The following citizens addressed Council regarding the need for a new Jail:

- a) **Reverend Aaron Phillips**
- b) **Reverend David Hunter**
- c) **Reverend Vincent E. Stokes, II**
- d) **Kareem Henton**

Council President Jones asked Clerk Richardson to read all six items into the record simultaneously.

4. ITEMS REFERRED TO COMMITTEE/1st PUBLIC HEARING

a) Items for the Public Hearing at 2:00 PM

- i) O2022-0005: An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073101 dated July 26, 2007, and enacting new Chapter 727, Section 727.01 of the Cuyahoga County Code to change the period of time during which the County sales tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective.
- ii) O2022-0006: An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073102 dated July 26, 2007, and Enacting new Chapter 727, Section 727.02 of the Cuyahoga County Code to change the period of time during which the County use tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective.

b) Other items:

- iii) O2022-0007: An Ordinance Enacting New Chapter 703 of the County Code establishing a Justice Center Capital Projects Fund in accordance with ORC Section 5705.13; and declaring the necessity that this Ordinance become immediately effective.
- iv) R2022-0008: A Resolution declaring official intent under U.S. Treasury Regulations with respect to reimbursements from bond proceeds of temporary advances, made for payments in connection with the development of a new County jail, prior to issuance of bonds, and related matters; and declaring the necessity that this Resolution become immediately effective.
- v) R2022-0296: A Resolution authorizing the County Executive to accept assignment of a Real Estate Purchase Agreement, as amended, between the Greater Cleveland Community Improvement Corporation and Ohio Properties 2021 LLC in the amount not-to-exceed \$6,407,000.00 for the purchase of certain parcels of land containing approximately 40.67 acres bounded by Interstate 77 to the East and Heidtman Road to the South and West, Permanent Parcel Nos. 131-14-013, 131-14-014, 131-14-015,

131-14-016 and 131-14-021; authorizing the assignment of said Real Estate Purchase Agreement; authorizing the County Executive to take all necessary actions and to execute the agreement and all other documents consistent with said transaction and this Resolution; and declaring the necessity that this Resolution become immediately effective.

- vi) R2022-0297: A Resolution authorizing a Real Estate Purchase Agreement with UTS Realty, LLC in the amount not-to-exceed \$20,000,000.00 for the purchase of real property located at 2700 Transport Road, Cleveland, Ohio, Permanent Parcel Nos. 122-27-001, 122-27-013 and 122-27-007; authorizing a lease of said property to UTS Realty, LLC, or its designee; authorizing the County Executive to take all necessary actions and to execute the agreements and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Gregory Huth, Law Director provided background information on how all six items are connected.

Councilmembers asked questions of Mr. Huth, pertaining to the items, which he answered accordingly.

Mr. Jeffrey Appelbaum, Managing Director of Project Management Consultants, LLC; Mr. Ellis Katz, Director of Owner’s Representative Services, for Project Management Consultants, LLC; Mr. Michael Dever, Director of the Department of Public Works; Mr. Robert Franz, Managing Director of Public Finance for Stifel Financial Corp.; Mr. Michael Chambers, Fiscal Officer; Mr. John Garvey, Certified Professional for Partners International; and Mr. Gregory Corcoran, Principal Engineer for Geosyntec Consultants addressed Council regarding Ordinance No. O2022-02005, Ordinance No. O2022-0006, Ordinance No. O2022-0007, Resolution No. R2022-0008, Resolution No. R2022-0296 and Resolution No. R2022-0297. Discussion ensued.

Councilmembers asked questions of Messrs. Appelbaum, Katz, Dever, Franz, Chambers, Garvey, and Corcoran pertaining to the items, which they answered accordingly.

There was no further legislative action taken on Ordinance No. O2022-02005, Ordinance No. O2022-0006, Ordinance No. O2022-0007, Resolution No. R2022-0008, Resolution No. R2022-0296 and Resolution No. R2022-0297. Council President Jones stated that the required second public hearing, will take place on Thursday, September 22, 2022, at 10:00 a.m.

5. EXECUTIVE SESSION

- a) Collective bargaining matters, including:

- 1) a Collective Bargaining Agreement between Cuyahoga County

and The Cuyahoga Deputy Sheriff's Supervisors Association representing approximately twenty-two (22) employees in the classification of Deputy Sergeants in the Cuyahoga County Sheriff's Department for the period 1/1/2022 – 12/31/2024;

b) Pending or imminent litigation.

A motion was made by Ms. Simon, seconded by Mr. Sweeney, and approved by unanimous roll-call vote to move to Executive Session for the purposes of discussing a collective bargaining matter and pending or imminent litigation and for no other purpose whatsoever. Executive Session was then called to order by Council President Jones at 4:30 p.m. The following Councilmembers were present: Baker, Miller, Sweeney, Tuma, Gallagher, Conwell, Turner, Stephens, Simon, and Jones.

The following additional attendees were present: Law Director Gregory Huth; Assistant Prosecuting Attorney Brendan Healy; Interim Sherriff Steven Hammett; Assistant Law Director Wesley Kretch; Council Chief of Staff Joseph Nanni; Legislative Budget Advisor Trevor McAleer; Special Counsel Michael King and Policy Analyst James Boyle.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. ADJOURNMENT

With no further business to discuss, Council President Jones adjourned the meeting at 5:01 p.m., without objection.