



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, AUGUST 11, 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 5:00 p.m.

2. ROLL CALL

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

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady asked for a moment of silent meditation be dedicated for personal reflections.

5. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

6. APPROVAL OF MINUTES

- a) July 28, 2015 Committee of the Whole Meeting
- b) July 28, 2015 Regular Meeting

A motion was made by Ms. Simon, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the July 28, 2015 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **the Republican National Debate was held in Cleveland last week;**
- b) **a high school graduation ceremony was recently held for children in Cuyahoga County foster care. Fifty graduated and ten received full scholarships to Cleveland State University as part of the Sullivan-Deckard Scholars Opportunity Program; and**
- c) **over 600 senior citizens attended Senior Movie Day held at Playhouse Square last week.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING
 - 1) R2015-0123: A Resolution supporting the Cleveland 2030 District and its efforts to significantly reduce the energy consumption of new and existing buildings in the Downtown Building District and throughout Greater Cleveland; supporting the Better Buildings Challenge and its voluntary leadership initiative that asks local leaders to make a public commitment to energy efficiency; 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. R2015-0123 into the record.

This item will move to the August 25, 2015 Council meeting agenda for consideration for third reading adoption.

- 2) R2015-0124: A Resolution determining the services and programs that shall be provided and funded from the Veterans Services Fund in 2015; authorizing payments to various providers, in the total amount of \$39,006.19, for said services and programs for the period ending 12/31/2016; authorizing the County Executive to negotiate and execute any necessary agreements, contracts or other documents for same; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

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

Clerk Schmotzer read Resolution No. R2015-0124 into the record.

This item will move to the August 25, 2015 Council meeting agenda for consideration for third reading adoption.

- b) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- 1) R2015-0116: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI, Section 11.01 of the Charter of Cuyahoga County to ensure the independence of the auditing function by providing that the County Audit Committee consist of the President of Council or a member of Council appointed by the President of Council, four residents of the county with experience in the field of auditing who are to be appointed by the County Executive and confirmed by Council, with the County Executive and Fiscal Officer each serving as non-voting, ex officio members, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Miller, Schron, Germana, **Conwell and Jones**

Committee Assignment and Chair: Committee of the Whole –
Brady

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2015-0116 was considered and adopted by unanimous vote.

c) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2015-0012: An Ordinance amending Section 407.27 of the Cuyahoga County Code establishing recusal requirements for appointees to county boards and commissions, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Greenspan and Miller and County Executive Budish

On a motion by Mr. Brady with a second by Mr. Greenspan, Ordinance No. O2015-0012 was considered and adopted by unanimous vote.

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. R2015-0154.

- 1) R2015-0154: 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. R2015-0154. 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. Greenspan with a second by Mr. Miller, Resolution No. R2015-0154 was considered and adopted by unanimous vote, as substituted.

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

- 1) R2015-0155: A Resolution confirming the County Executive's appointment of Sheryl Harris, upon her taking the oath of office, as Director of the Department of Consumer Affairs; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2015-0155 to the Committee of the Whole.

- 2) R2015-0156: A Resolution making an award on RQ34890 to a supplier to be determined in the amount not-to-exceed \$12,800,000.00 for electric power services for various County facilities for the period 9/1/2015 - 5/1/2018; authorizing the County Executive to execute the ~~agreement~~ Electricity Purchase 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 Public Works

[Clerk's note: This item was corrected to read prior to referral to committee.]

Council President Brady referred Resolution No. R2015-0156 to the Public Works, Procurement & Contracting Committee.

- 3) R2015-0157: A Resolution authorizing a revenue generating Utility Agreement with City of Maple Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 9; 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 Public Works/Division of County Engineer

Council President Brady referred Resolution No. R2015-0157 to the Public Works, Procurement & Contracting Committee.

- 4) R2015-0158: A Resolution authorizing the Director of Public Works to execute and submit various supplemental loan applications to the Water Pollution Control Loan Fund of the U.S. Environmental Protection Agency; authorizing the County Executive to execute the agreements and all other documents consistent with said supplemental loans and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) in the amount of \$189,035.09 for construction of the North Granger Sewer Replacement located in the City of Garfield Heights, County Sewer District No. 9.
 - ii) in the amount of \$38,447.50 for construction of a drill drop structure in connection with the Broadview Drill Drop Project located in the City of Parma, County Sewer District No. 1A.

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

Council President Brady referred Resolution No. R2015-0158 to the Public Works, Procurement & Contracting Committee.

- 5) R2015-0159: A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,340,000.00 to the Water Pollution Control Loan Fund of the U.S. Environmental Protection Agency for construction of a gravity sanitary sewer in connection with the Broadrock Drill Drop Project located in the City of Parma, County Sewer District No. 1A; authorizing the County Executive to execute the agreement and all other documents consistent with said loan 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

Council President Brady referred Resolution No. R2015-0159 to the Public Works, Procurement & Contracting Committee.

- 6) R2015-0160: A Resolution authorizing an agreement with Red Center Logic for participation in the Cuyahoga County Benefits Regionalization Program for the period 5/1/2015 - 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.

Sponsor: County Executive Budish/Department of Human Resources

Council President Brady referred Resolution No. R2015-0160 to the Human Resources, Appointments & Equity Committee.

- 7) R2015-0161: A Resolution authorizing an agreement with The MetroHealth System in the amount not-to-exceed \$607,747.96 for healthcare and management services for youth residing at the County Detention Center for the period 7/1/2015 - 12/31/2015; 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 on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

Council President Brady referred Resolution No. R2015-0161 to the Public Safety & Justice Affairs Committee.

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

- 1) R2015-0142: A Resolution authorizing amendments to agreements and contracts with various providers for Workforce Innovation and Opportunity Act Youth Training for the period 7/1/2014 - 6/30/2015 to extend the time period to 6/30/2016, to change the scope of services, effective 7/1/2015, and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

i) Agreements:

- a) No. AG1400132-02 with Cuyahoga Community College District – Youth Technology Academy in the amount not-to-exceed \$200,000.00.
- b) No. AG1400133-02 with Cuyahoga Community College District – Advanced Technology Academy in the amount not-to-exceed \$300,000.00.
- c) No. AG1400134-02 with Mayfield City School District in the amount not-to-exceed \$155,000.00.

ii) Contracts:

- a) No. CE1400308-02 with Esperanza, Incorporated in the amount not-to-exceed \$50,000.00.
- b) No. CE1400309-04, 05, 06 with OhioGuidestone in the amount not-to-exceed \$875,000.00.
- c) No. CE1400310-02 with Linking Employment, Abilities and Potential in the amount not-to-exceed \$50,000.00.
- d) No. CE1400311-02 with Open Doors Academy in the amount not-to-exceed \$150,000.00.
- e) No. CE1400312-02 with Towards Employment in the amount not-to-exceed \$225,000.00.
- f) No. CE1400313-02 with Youth Opportunities Unlimited, Incorporated in the amount not-to-exceed \$225,000.00.
- g) No. CE1400314-02 with Youth Opportunities Unlimited, Incorporated in the amount not-to-exceed \$315,000.00.

Sponsor: County Executive Budish/Department of Workforce Development

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

Clerk Schmotzer read Resolution No. R2015-0142 into the record.

This item will move to the August 25, 2015 Council meeting agenda for consideration for third reading adoption.

- 2) R2015-0148: A Resolution making an award on RQ34095 to Layne Inliner, LLC in the amount not-to-exceed \$2,891,570.00 for the 2015 Sewer Rehabilitation Program in various County sewer districts for the period 8/1/2015 - 7/31/2017; 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

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

Clerk Schmotzer read Resolution No. R2015-0148 into the record.

This item will move to the August 25, 2015 Council meeting agenda for consideration for third reading adoption.

- 3) R2015-0151: A Resolution authorizing an amendment to Contract No. CE1300019-01 with Economic and Community Development Institute, Inc. for management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period 2/1/2013 - 1/31/2015 to extend the time period to 1/31/2017 and for additional funds in the amount not-to-exceed \$2,000,000.00; 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 Development

Committee Assignment and Chair: Economic Development & Planning – Schron

Clerk Schmotzer read Resolution No. R2015-0151 into the record.

This item will move to the August 25, 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. Miller and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2015-0144, R2015-0149 and R2015-0150.

- 1) R2015-0144: A Resolution making awards on RQ33034 to various providers for Universal Pre-Kindergarten Program services for the period 8/1/2015 - 7/31/2018; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) Brooklyn City School District in the amount not-to-exceed \$199,520.16.
 - ii) Catholic Charities Corporation - King Kennedy Head Start in the amount not-to-exceed \$320,001.00.
 - iii) Catholic Charities Corporation - Riverside Head Start in the amount not-to-exceed \$155,460.00.
 - iv) Catholic Charities Corporation - St. Philip Neri Head Start in the amount not-to-exceed \$485,721.00.
 - v) Catholic Charities Corporation - St. Thomas Aquinas Head Start in the amount not-to-exceed \$22,521.00.
 - vi) Cleveland Children's Daycare Academy, LLC in the amount not-to-exceed \$223,332.00.
 - vii) Cleveland Municipal School District - Franklin D. Roosevelt Elementary School in the amount not-to-exceed \$107,654.40.
 - viii) Cleveland Municipal School District - Marion-Sterling Elementary School in the amount not-to-exceed \$154,839.60.
 - ix) Cleveland Municipal School District - Tremont Montessori School in the amount not-to-exceed \$267,315.00.
 - x) Council for Economic Opportunities in Greater Cleveland - Louis Stokes Head Start Center in the amount not-to-exceed \$1,534,443.00.

- xi) Early Childhood Enrichment Center, Inc. in the amount not-to-exceed \$1,347,987.00.
- xii) East Cleveland City School District - Superior Elementary School in the amount not-to-exceed \$232,050.00.
- xiii) Ericka L. Elmore in the amount not-to-exceed \$46,623.00.
- xiv) Ganon Gil Preschool of The Temple-Tifereth Israel, Inc. in the amount not-to-exceed \$341,736.00.
- xv) Hanna Perkins School in the amount not-to-exceed \$126,822.00.
- xvi) Horizon Education Centers in the amount not-to-exceed \$401,010.00.
- xvii) JoAnna Adams in the amount not-to-exceed \$27,210.00.
- xviii) Kiddie City Child Care Community, Inc. in the amount not-to-exceed \$349,932.00.
- xix) OhioGuidestone - Family Life Child Care Center of Berea in the amount not-to-exceed \$1,263,111.00.
- xx) OhioGuidestone - Family Life Child Care Center of Brook Park in the amount not-to-exceed \$520,389.00.
- xxi) OhioGuidestone - Family Life Child Care Center of Lakewood in the amount not-to-exceed \$496,329.00.
- xxii) OhioGuidestone - Family Life Child Care Center of Maple Heights in the amount not-to-exceed \$601,329.00.
- xxiii) Parma Preschool, Inc. in the amount not-to-exceed \$472,557.00.
- xxiv) Sandy's Darlin' Munchkins Family Child Care Home and Universal Pre-Kindergarten in the amount not-to-exceed \$93,147.00.
- xxv) The Centers for Families and Children - Bingham Early Learning Center in the amount not-to-exceed \$189,096.00.
- xxvi) The Centers for Families and Children - Debra Ann November Early Learning Center in the amount not-to-exceed \$157,221.00.
- xxvii) The Centers for Families and Children - Mather Early Learning Center in the amount not-to-exceed \$137,508.00.

- xxviii) The Centers for Families and Children - McMillan Early Learning Center in the amount not-to-exceed \$269,733.00.
- xxix) The Centers for Families and Children - Ohio City Early Learning Center in the amount not-to-exceed \$120,000.00.
- xxx) The Centers for Families and Children - Wade Early Learning Center in the amount not-to-exceed \$194,427.00.
- xxxi) The Cleveland Music School Settlement in the amount not-to-exceed \$250,500.00.
- xxxii) The East End Neighborhood House Association in the amount not-to-exceed \$508,311.00.
- xxxiii) The Merrick House in the amount not-to-exceed \$672,996.00.
- xxxiv) The Young Women's Christian Association of Greater Cleveland, Ohio in the amount not-to-exceed \$487,518.00.
- xxxv) West Side Ecumenical Ministry - Gordon Square Early Learning Center in the amount not-to-exceed \$227,415.00.

Sponsor: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

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

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2015-0144 was considered and adopted by unanimous vote.

- 2) R2015-0149: A Resolution authorizing a revenue generating Utility Agreement with City of Brooklyn for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 1; 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 Public Works/Division of County Engineer

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

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2015-0149 was considered and adopted by unanimous vote.

- 3) R2015-0150: A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$650,000.00 to Keystone Tailored Manufacturing, LLC for the benefit of a project located at 4600 Tiedeman Road, Brooklyn; authorizing the 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

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2015-0150 was considered and adopted by unanimous vote.

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2015-0137: A Resolution declaring that public convenience and welfare requires resurfacing of Fowles Road from the West Corporation Line to Pearl Road in the City of Middleburg Heights; total estimated project cost \$1,200,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; 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. Miller with a second by Mr. Brady, Resolution No. R2015-0137 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, August 19, 2015 at 1:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, August 18, 2015 at 10:00 a.m.

Mr. Miller reported that the Council Operations & Intergovernmental Relations Committee will meet on Tuesday, September 1, 2015 at 3:00 p.m.

12. MISCELLANEOUS BUSINESS

Mr. Greenspan announced that there will be a town hall meeting on Thursday, August 20, 2015 at 7:00 p.m. at the Rocky River Public Library.

13. PUBLIC COMMENT UNRELATED TO AGENDA

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

Rev. Pamela Pinkney Butts addressed Council regarding the following: (a) requested that there be a smoking ban in the County; and (b) various pro-life and death penalty issues.

14. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Hairston with a second by Mr. Jones, the meeting was adjourned at 5:38 p.m., without objection.