



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, SEPTEMBER 8, 2015  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

**Council President Brady called the meeting to order at 5:03 p.m.**

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**There was no moment of silent meditation.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**There were no public comments given related to the agenda.**

**6. APPROVAL OF MINUTES**

- a) August 25, 2015 Regular Meeting

**A motion was made by Mr. Hairston, seconded by Mr. Germana and approved by majority vote to approve the minutes of the August 25, 2015 meeting, with Mr. Brady abstaining from the vote.**

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) **Recently attended a reception with the Council General of India to welcome a delegation from India, which included a number of business owners that would like to do business in the United States; and**
- b) **Met with William Koehler, Chief Executive Officer of Team NEO, regarding economic development efforts.**

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2015-0171: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$4,000,000.00 to City of Euclid for the benefit of Phase II of the Waterfront Improvement Plan located in the City of Euclid; directing the Director of Development or his/her designee to prepare all documents to effectuate said loan; directing and authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller

**Council President Brady referred Resolution No. R2015-0171 to the Committee of the Whole.**

- 2) R2015-0172: 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 Old Brooklyn Community Development

Corporation for the conservation of ecologically significant areas located at 4100 Pearl Road in Old Brooklyn in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon **and Conwell**

**Council President Brady referred Resolution No. R2015-0172 to the Education, Environment & Sustainability Committee.**

- 3) R2015-0173: 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 Western Reserve Land Conservancy for the conservation of ecologically significant areas located between Cedar Road and Fairmount Boulevard and to the west of Lander Road in the City of Pepper Pike, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Simon

**Council President Brady referred Resolution No. R2015-0173 to the Education, Environment & Sustainability Committee.**

- 4) R2015-0174: 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 Western Reserve Land Conservancy for the conservation of ecologically significant areas in the Village of Hunting Valley; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Simon

**Council President Brady referred Resolution No. R2015-0174 to the Education, Environment & Sustainability Committee.**

- 5) R2015-0175: 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 adjacent to West Creek Reservation in the City of Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Simon

**Council President Brady referred Resolution No. R2015-0175 to the Education, Environment & Sustainability Committee.**

- 6) R2015-0176: 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 Tinker's Creek Watershed Partners for the conservation of ecologically significant areas in the City of Warrensville Heights, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Simon

**Council President Brady referred Resolution No. R2015-0176 to the Education, Environment & Sustainability Committee.**

- 7) R2015-0177: 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 First Phase of the Abram Creek Riparian and Greenway Corridor in the City of Brook Park, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon **and Miller**

**Council President Brady referred Resolution No. R2015-0177 to the Education, Environment & Sustainability Committee.**

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. R2015-0178 and R2015-0179.**

- 1) R2015-0178: 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

**On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2015-0178 was considered and adopted by unanimous vote.**

- 2) R2015-0179: A Resolution accepting the report containing findings and recommendations of Fact-finder Robert G. Stein regarding negotiations between Cuyahoga County and American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO, Local 27 for a collective bargaining agreement representing approximately 240 employees in 9 classifications at the Cuyahoga Job and Family Services/Office of Child Support Services; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2015-0179 was considered and adopted by unanimous vote.**

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

- 1) R2015-0180: A Resolution authorizing a revenue generating Utility Agreement with City of Richmond Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 3; 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. R2015-0180 to the Public Works, Procurement & Contracting Committee.**

- 2) R2015-0181: A Resolution making an award on RQ34100 to Mark Schaffer Excavating & Trucking, Inc. in the amount not-to-exceed \$4,573,614.00 for Cuyahoga County Airport Runway 6/24 Safety Area Improvements Project No. 1 in connection with the Airport Improvement Program; 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

**Council President Brady referred Resolution No. R2015-0181 to the Public Works, Procurement & Contracting Committee.**

- 3) R2015-0182: 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 & Management

**Council President Brady referred Resolution No. R2015-0182 to the Finance & Budgeting Committee.**

- 4) R2015-0183: A Resolution authorizing the use of a portion of the proceeds of the Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (County Facilities Improvement), in an aggregate principal amount not-to-exceed \$11,000,000.00 for the purposes of paying certain costs of demolition of blighted and nuisance properties and making grants therefor; authorizing other actions related to the use of such proceeds; and declaring the necessity that this Resolution become immediately effective.

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

**Council President Brady referred Resolution No. R2015-0183 to the Finance & Budgeting Committee.**

- 5) R2015-0184: A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$685,000.00 to LaSalle AMC, LLC for the benefit of the LaSalle Arts and Media Center Project located at 819-829 East 185<sup>th</sup> Street, Cleveland; authorizing the County Executive and Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development and Councilmembers Schron and Hairston

**Council President Brady referred Resolution No. R2015-0184 to the Economic Development & Planning Committee.**

- 6) R2015-0185: A Resolution authorizing amendments to contracts with various providers for operation of OhioMeansJobs|Cleveland-Cuyahoga County Service Centers for the period 7/1/2013 - 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) No. CE1300365-01 with Mature Services Incorporated in the amount not-to-exceed \$257,788.00.
  - ii) No. CE1300366-01 with United Labor Agency, Inc. in the amount not-to-exceed \$2,540,988.00.

Sponsors: County Executive Budish/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

**Council President Brady referred Resolution No. R2015-0185 to the Education, Environment & Sustainability Committee.**

- 7) R2015-0186: A Resolution authorizing an amendment to Contract No. CE1300368-01 with United Labor Agency, Inc. for employer services for the period 7/1/2013 - 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 in the

amount not-to-exceed \$1,583,490.00; 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 Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

**Council President Brady referred Resolution No. R2015-0186 to the Education, Environment & Sustainability Committee.**

- 8) R2015-0187: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$1,855,983.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2015 - 7/31/2018; 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/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

**Council President Brady referred Resolution No. R2015-0187 to the Education, Environment & Sustainability Committee.**

- 9) R2015-0188: A Resolution authorizing a contract with The Salvation Army in the amount not-to-exceed \$527,499.00 for the PASS Transitional Housing Program in connection with FY2014 Continuum of Care Homeless Assistance Grant Programs and HEARTH Act for the period 10/1/2015 - 9/30/2016; 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/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services

**Council President Brady referred Resolution No. R2015-0188 to the Health, Human Services & Aging Committee.**



- 10) R2015-0189: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,443,960.00 for administration of the FY2014 Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the HEARTH Act Homeless Assistance Grant Program for the period 8/1/2015 - 7/31/2016; 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/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services

**Council President Brady referred Resolution No. R2015-0189 to the Health, Human Services & Aging 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. R2015- 0165, R2015-0166, R2015-0167, R2015-0168, R2015-0169 and R2015-0170.**

- 1) R2015-0165: A Resolution authorizing a contract with HH Golden Gate LLC in the amount not-to-exceed \$998,543.52 for lease of office space in Golden Gate Shopping Center, located at 6420 Mayfield Road, Mayfield Heights for the period 10/1/2015 - 9/30/2020; 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/Department of Public Works and Fiscal Officer/Auto Title Division

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

**On a motion by Mr. Germana with a second by Mr. Greenspan, Resolution No. R2015-0165 was considered and adopted by unanimous vote.**

- 2) R2015-0166: A Resolution fixing the 2016 water, storm and sanitary sewer maintenance and/or sewerage treatment rates

for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

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

**Mr. Germana introduced a proposed substitute to Resolution No. R2015-0166. Discussion ensued.**

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

**On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2015-0166 was considered and adopted by unanimous vote, as substituted.**

- 3) R2015-0167: A Resolution approving and confirming the 2016 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0167 was considered and adopted by unanimous vote.**

- 4) R2015-0168: A Resolution making an award on RQ33011 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$4,408,034.60 for sanitary, water and roadway improvements to Barton Road, Bronson Road and Cook Road in the City of North Olmsted and Olmsted Township; 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 Councilmembers Jones and Gallagher**

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

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0168 was considered and adopted by unanimous vote.**

- 5) R2015-0169: A Resolution making an award on RQ34173 to Schirmer Construction LLC in the amount not-to-exceed \$923,730.50 for replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; 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 the amount of \$461,865.25 to fund said contract; 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. Germana with a second by Ms. Conwell, Resolution No. R2015-0169 was considered and adopted by unanimous vote.**

- 6) R2015-0170: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2015 to extend the time period to 6/30/2016 and for additional funds in the amount not-to-exceed \$705,360.00; 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 Court of Common Pleas/Juvenile Division

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

**On a motion by Mr. Gallagher with a second by Mr. Schron, Resolution No. R2015-0170 was considered and adopted by unanimous vote.**

d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2015-0152: A Resolution amending Resolution No. R2014-0102 dated 4/8/2014, which authorized the County Executive to accept, on behalf of the County, the donation of burial plots within Crown Hill Cemetery, Twinsburg, Ohio, from William Suhay, Jr. for the purpose of accommodating indigent burials, by changing the number of plots from four to eight and the approximate value from \$4,000.00 to \$8,000.00; authorizing the County Executive to execute all documents in connection with the transfer of said property and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Medical Examiner

**On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2015-0152 was considered and adopted by unanimous vote.**

- 2) R2015-0153: A Resolution authorizing the County Executive to accept, on behalf of the County, the donation of two burial plots within Whitehaven Memorial Park, Village of Mayfield, Ohio, from Society of St. Vincent de Paul valued at approximately \$2,000.00 for the purpose of accommodating indigent burials; authorizing the County Executive to execute all documents in connection with the transfer of said property and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Medical Examiner

**On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2015-0153 was considered and adopted by unanimous vote.**

- 3) 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

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0158 was considered and adopted by unanimous vote.**

- 4) 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

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0159 was considered and adopted by unanimous vote.**

#### 11. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, September 21, 2015 at 1:00 p.m.**

**Mr. Miller reported that the Council Operations & Intergovernmental Relations Committee will meet on Tuesday, September 15, 2015 at 3:00 p.m.**

**Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 16, 2015 at 10:00 a.m.**

**Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, September 28, 2015 at 3:00 p.m.**

**Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, September 16, 2015 at 1:00 p.m.**

**12. MISCELLANEOUS BUSINESS**

**Ms. Simon addressed Council in support of Resolution No. R2015-0171, a Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$4,000,000.00 to City of Euclid for the benefit of Phase II of the Waterfront Improvement Plan.**

**Mr. Germana announced that he would not be seeking re-election to County Council for another term.**

**Ms. Brown announced that she will be hosting a Town Hall meeting on Wednesday, September 16, 2015 at 7:00 p.m. at the Warrensville Heights library.**

**Mr. Miller addressed Council in support of County Issue 8, which proposes an extension of excise tax on cigarettes for Cuyahoga Arts and Culture, and County Issue 9, which proposes to amend the County Charter by restructuring the County Audit Committee.**

**13. PUBLIC COMMENT UNRELATED TO AGENDA**

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

**14. ADJOURNMENT**

**With no further business to discuss and on a motion by Mr. Brady with a second by Mr. Jones, the meeting was adjourned at 5:40 p.m., without objection.**