



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 22, 2015
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
4:00 PM**

1. CALL TO ORDER

In the absence of Council President Brady, Council Vice-President Jones called the meeting to order at 4:02 p.m.

2. ROLL CALL

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

A motion was made by Mr. Jones, seconded by Ms. Conwell and approved by unanimous vote to excuse Ms. Simon, Mr. Schron and Mr. Brady from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council Vice-President Jones asked for a moment of silent meditation be dedicated in memory of Council President Brady's mother-in-law, Elizabeth Gallo, who recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

In accordance with Rule 6B of the County Council Rules, a parliamentary motion was made by Mr. Jones, seconded by Mr. Miller and approved by unanimous vote to add Resolution No. R2015-0200 to the agenda as an additional item under No. 10.b) for consideration for first reading and referral to committee.

6. APPROVAL OF MINUTES

- a) September 8, 2015 Committee of the Whole Meeting
- b) September 8, 2015 Regular Meeting

A motion was made by Mr. Hairston, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the September 8, 2015 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL VICE-PRESIDENT

There were no announcements from Council Vice-President Jones.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **The County reached an agreement with FirstMerit Corporation to sell naming rights for the Cleveland Convention Center;**
- b) **The Medical Examiner's office annex was recently renamed in honor of Dr. Elizabeth Balraj, the first woman elected as Coroner in Cuyahoga County; and**
- c) **The Cleveland Playhouse is celebrating its 100th anniversary.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) **CONSIDERATION OF A RESOLUTION OF COUNCIL 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 No. R2015-0190.

- 1) R2015-0190: 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: Councilmembers Brown and Germana

On a motion by Ms. Brown with a second by Mr. Germana, Resolution No. R2015-0190 was considered and adopted by unanimous vote.

- 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 Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2015-0172, R2015-0173, R2015-0174, R2015-0175, R2015-0176 and R2015-0177.

- 1) 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

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

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2015-0172 was considered and adopted by unanimous vote.

- 2) 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

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2015-0173 was considered and adopted by unanimous vote.

- 3) 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

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0174 was considered and adopted by unanimous vote.

- 4) 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.

Sponsors: Councilmembers Simon **and Germana**

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

On a motion by Mr. Germana with a second by Ms. Brown, Resolution No. R2015-0175 was considered and adopted by unanimous vote.

- 5) 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.

Sponsors: Councilmembers Simon and Brown

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

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2015-0176 was considered and adopted by unanimous vote.

- 6) 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

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

On a motion by Ms. Brown with a second by Mr. Germana, Resolution No. R2015-0177 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. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2015-0191.

- 1) R2015-0191: 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. R2015-0191. Discussion ensued.

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

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2015-0191 was considered and adopted by unanimous vote, as substituted.

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

- 1) R2015-0192: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5022 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; 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

Council Vice-President Jones referred Resolution No. R2015-0192 to the Public Works, Procurement & Contracting Committee.

- 2) R2015-0193: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5023 for replacement of Bagley Road Bridge No. 03.45 over Plum Creek in the City of Olmsted Falls; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; 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 Vice-President Jones referred Resolution No. R2015-0193 to the Public Works, Procurement & Contracting Committee.

- 3) R2015-0194: A Resolution making an award on RQ34179 to S.A. Comunale Co., Inc. in the amount not-to-exceed \$672,000.00 for the Cuyahoga County Juvenile Justice Center Sprinkler Modifications Project for the period 10/1/2015 - 4/1/2016; 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 Vice-President Jones referred Resolution No. R2015-0194 to the Public Safety & Justice Affairs Committee.

- 4) R2015-0195: A Resolution authorizing an amendment to Contract No. CE0500565-05 with JPMC 2001-A Southgate, LLC c/o Capital Services, Inc. for lease of space located at 5398-1/2 Northfield Road, Maple Heights, for the Southeast Neighborhood Family Service Center for the period 6/1/2005 - 5/31/2015, to assign the interest to Southgate Center Associates, LLC, effective 6/1/2014, to change the scope of services, effective 6/1/2014, to extend the time period to 5/31/2016 and for additional funds in the amount not-to-exceed \$489,708.04; 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/Departments of Public Works and Health and Human Services/Cuyahoga Job and Family Services

Council Vice-President Jones referred Resolution No. R2015-0195 to the Public Works, Procurement & Contracting Committee.

- 5) R2015-0196: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$2,000,000.00 to Corning Place Ohio, LLC for the benefit of the Garfield Building Project located at 1965 East 6th 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.

Sponsor: County Executive Budish/Department of Development

Council Vice-President Jones referred Resolution No. R2015-0196 to the Economic Development & Planning Committee.

- 6) R2015-0197: A Resolution making an award on RQ27417 to N. Harris Computer Corporation in the amount not-to-exceed \$3,763,701.00 for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020; 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/County Treasurer

Council Vice-President Jones referred Resolution No. R2015-0197 to the Finance & Budgeting Committee.

- 7) R2015-0198: A Resolution making an award on RQ27417 to N. Harris Computer Corporation in the amount not-to-exceed \$1,441,900.00 for software licenses for the Real Property Tax System, effective 10/1/2015; authorizing the County Executive to execute the Software License 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/County Treasurer

Council Vice-President Jones referred Resolution No. R2015-0198 to the Finance & Budgeting Committee.

- 8) R2015-0199: A Resolution making an award on RQ27417 to N. Harris Computer Corporation in the amount not-to-exceed \$2,410,668.00 for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020; 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/County Treasurer

Council Vice-President Jones referred Resolution No. R2015-0199 to the Finance & Budgeting Committee.

[Clerk's Note: In accordance with Rule 6B of the County Council Rules, the following item was added to the agenda and read into the record by the Clerk of Council.]

R2015-0200: A Resolution authorizing a revenue generating agreement with FirstMerit Corporation in the amount of \$10,321,344.00 for the sale of naming rights for the Cleveland Convention Center for the period 11/1/2015 - 10/31/2035; authorizing the County Executive or his authorized designee to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Council Vice-President Jones referred Resolution No. R2015-0200 to the Committee of the Whole.

- c) DISCHARGE FROM COMMITTEE AND CONSIDERATION OF A RESOLUTION FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

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

A motion was then made by Mr. Jones, seconded by Mr. Miller and approved by unanimous vote to dispense with committee review and discharge Resolution No. R2015-0164 from the Committee of the Whole to the full Council for consideration for second reading adoption.

- 1) R2015-0164: A Resolution confirming the County Executive's appointment of Mary Louise Madigan, upon her taking the oath of office, as Director of the Department of Communications; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Committee Assignment and Chair: Committee of the Whole – Brady

Mr. Jones introduced a proposed substitute to Resolution No. R2015-0164. Discussion ensued.

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2015-0164 was considered and adopted by unanimous vote, as substituted.

[Clerk's Note: Immediately after passage of Resolution No. R2015-0164, County Executive Budish administered the oath of office to Mary Louise Madigan.]

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. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2015-0155, R2015-0185, R2015-0186, R2015-0187, R2015-0188 and R2015-0189.

- 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

Committee Assignment and Chair: Committee of the Whole – Brady

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2015-0155 was considered and adopted by majority roll-call vote with Councilmembers Greenspan and Conwell casting dissenting votes.

[Clerk's Note: Immediately after passage of Resolution No. R2015-0155, County Executive Budish administered the oath of office to Sheryl Harris.]

- 2) 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

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

On a motion by Ms. Brown with a second by Mr. Hairston, Resolution No. R2015-0185 was considered and adopted by unanimous vote.

- 3) 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

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

On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2015-0186 was considered and adopted by unanimous vote.

- 4) 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.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmembers Hairston, Miller and Jones**

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2015-0187 was considered and adopted by unanimous vote.

- 5) 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

Committee Assignment and Chair: Health, Human Services & Aging – Jones

On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2015-0188 was considered and adopted by unanimous vote.

- 6) 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

Committee Assignment and Chair: Health, Human Services & Aging – Jones

On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2015-0189 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, September 28, 2015 at 1:00 p.m. and Monday, October 5, 2015 at 1:00 p.m. He also announced that the Committee of the Whole will meet on Tuesday, October 13, 2015 at 3:00 p.m. for an overview of the 2016/2017 budget.

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 30, 2015 at 10:00 a.m.

Mr. Gallagher reported that the Public Safety & Justice Affairs Committee will meet on Tuesday, September 29, 2015 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

Mr. Miller announced that Chief Information Officer Jeff Mowry resigned and thanked him for his service to the County.

Ms. Brown also thanked Mr. Mowry for his service and announced that she is having a Town Hall meeting on Wednesday, September 16, 2015 at 7:00 p.m. at the Warrensville Heights Library.

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.

The following citizens addressed Council regarding the Norma Herr Women’s Center:

- a) Ms. Louh
- b) Ms. Ramona Turnbull
- c) Ms. Ruth Donahue

14. ADJOURNMENT

With no further business to discuss, Council Vice-President Jones adjourned the meeting at 4:48 p.m., without objection.