



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 3, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

1. CALL TO ORDER

Council President Connally called the meeting to order at 11:08 a.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally were in attendance and a quorum was determined. Councilmembers Conwell and Schron entered the meeting sometime after the roll call was taken.

3. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given related to the agenda.

4. MATTERS REFERRED TO COMMITTEE:

- a) R2013-0244: A Resolution authorizing a Termination and Transfer Agreement with Merchandise Mart Properties, Inc., MMPI Cleveland Development LLC, and Cleveland MMCC LLC; authorizing other actions related to the agreement; 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.

Ms. Connally introduced a written amendment to Resolution No. R2013-0244. Discussion ensued.

Mr. Jeffrey Applebaum, representing Thompson Hine, LLC; Mr. David Goodman, Bond Counsel, representing Squire, Sanders and Dempsey; and Mr. Majeed Makhoul, Law Director, addressed Council regarding Resolution No. R2013-0244 including issues related to governance, standards of control, Code of Regulations and Articles of Incorporation for the Cuyahoga County Facilities Development Corporation. Discussion ensued.

Councilmembers asked questions of Messrs. Applebaum, Goodman and Makhoul pertaining to the items, which they answered accordingly.

A motion was then made by Ms. Connally, seconded by Ms. Conwell and approved by unanimous vote to amend Resolution No. R2013-0244 by inserting “\$3,496,000.00” and “\$500,000.00” in the eighth Whereas clause.

Mr. Miller introduced a proposed amendment to Resolution No. R2013-0244 that would insert “Section 2. *The Articles of Incorporation of the Operating Company and any of its’ successors and assigns shall require its Board to operate in a manner that corresponds with the Cuyahoga County Code relating to open meetings and public records, except that these Articles may allow some board members attending a meeting properly noticed for a designated time and place to attend and participate by phone, video conference or other electronic means.*” Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Greenspan and subsequently withdrawn to amend Resolution No. R2013-0229.

On a motion by Mr. Rogers with a second by Mr. Germana, Resolution No. R2013-0244 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

Mr. Applebaum addressed Council regarding the Cooperative Agreement between the County, City of Cleveland and the Cleveland-Cuyahoga County Port Authority and parking relating to the Convention Center Hotel project. Discussion ensued.

- b) R2013-0229: A Resolution adopting the 2014/2015 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.

Council President Connally turned the meeting over to Councilmember Miller, Chair of the Finance & Budgeting Committee.

Chairman Miller gave a brief overview of the budget schedule and process.

Mr. Brady introduced a proposed package of amendments to Resolution No. R2013-0229 relating to budget requests for Health and Human Services. Discussion followed in which a number of proposals were considered to amend the proposed package of amendments.

Mr. Jeff Mowry, Chief Information Officer, and Mr. David Merriman, Deputy Chief of Staff for Health and Human Services, addressed Council regarding Resolution No. R2013-0229 relating to budget requests for Health and Human Services. Discussion ensued.

Councilmembers asked questions of Mr. Mowry and Mr. Merriman pertaining to the items, which they answered accordingly.

A brief recess was taken after which Mr. Miller then reconvened the meeting.

Councilmembers then introduced proposed amendments to the package relating to budget requests for Health and Human Services. Discussion ensued.

Mr. Merriman; Mr. Makhoulf and Mr. Mathew Rubino, Director of the Office of Budget & Management, addressed Council regarding Resolution No. R2013-0229. Discussion ensued.

Councilmembers asked questions of Mr. Merriman, Mr. Makhoulf and Mr. Rubino pertaining to the items, which they answered accordingly.

A motion was made by Mr. Schron, seconded by Mr. Germana and approved by unanimous vote to Resolution No. R2013-0229 by inserting *“Office of HHS Director 2014: \$100,000”* and *“2015: \$100,000”* in item No. 7 of the proposed package for budgetary requests for the Office of the HHS Director.

A motion was then made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to amend Resolution No. R2013-0229 by deleting *“biannual”* and inserting *“biennial”* in Section 2.

A parliamentary motion was made by Mr. Schron, seconded by Mr. Greenspan and approved by majority roll-call vote to vote on the proposed package of amendments individually, with Councilmember Miller casting the only dissenting vote.

Item No. 1 of the proposed package of amendments relating to increasing the subsidy for The MetroHealth System from \$36,080,000 to \$40,080,00 per year was considered and approved by unanimous vote to be included in Resolution No. R2013-0229.

Item No. 2 of the proposed package regarding inserting the following new Sections 2, 3, and 4 and in Resolution No. R2013-0229 was considered and approved by unanimous vote:

“Section 2. The increase to the 2014 and 2015 annual subsidies for The MetroHealth System (\$4,000,000) and the Alcohol, Drug Addiction & Mental Health Services Board (\$5,000,000) are expected to be funded from the Health and Human Services Levy Fund Reserves and/or Public Assistance Funds and shall be reviewed on a biennial basis for sustainability based on future revenues and expenditures.”

“Section 3. Forty six thousand (\$46,000) of the annual subsidy to The MetroHealth System shall be dedicated to fund the Naxalone/Opiate Taskforce.”

“Section 4. The additional funding for the Medicaid expansion unit and the health and human services departments’ hardware and software upgrades are expected to be funded only for the biennium and funded from the Health and Human Services Levy Fund Reserves and/or Public Assistance Funds.”

Item No. 3 of the proposed package relating to increasing the subsidy for the Alcohol, Drug Addiction & Mental Health Services Board from \$34,363,657 to \$39,363,657 per year was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Mr. Greenspan casting the only dissenting vote.

Item No. 4 of the proposed package regarding allocating \$25,000 per year for Rapid Rehousing contracts for the Office of Homeless Services was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Mr. Greenspan casting the only dissenting vote.

Item No. 5 of the proposed package relating to allocating \$25,000 for senior programs for the Division of Senior and Adult Services was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Gallagher and Greenspan casting dissenting votes.

Item No. 6 of the proposed package regarding allocating \$25,000 per year for the Division of Senior and Adult Services was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Greenspan and Gallagher casting dissenting votes.

Item No. 7 of the proposed package relating to allocating \$200,000 in 2015 for the Office of HHS Director was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Greenspan and Gallagher casting dissenting votes.

Item No. 8 of the proposed package relating to allocating \$250,000 for the Family and Children First Council for a pilot program for closing the educational achievement gap was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Simon, Greenspan and Gallagher casting dissenting votes.

Item No. 9 of the proposed package regarding allocating \$1,000,000 to the Division of Invest in Children for expansion of the Universal Prek-K program was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 10 of the proposed package relating to allocating \$250,000 per year to the Division of Invest in Children for expansion of Early Childhood Mental Health programs

was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 11 of the proposed package regarding allocating \$250,000 in 2014 and \$500,000 in 2015 to the Office of Re-Entry for a pilot program in the County jail was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Conwell, Simon, Greenspan and Gallagher casting dissenting votes.

Item No. 12 of the proposed package relating to allocating \$50,000 per year to the Division of Children and Family Services for a pilot program for Independent Living College Experiences was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Conwell, Simon, Greenspan and Gallagher casting dissenting votes.

Item No. 13 of the proposed package regarding allocating \$100,000 to the Division of Children and Family Services for mental health and MST sexual behavior treatment programs was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Greenspan and Gallagher casting dissenting votes.

Item No. 14 of the proposed package relating to allocating \$250,000 in 2014 to the Department of Justice Services for the Fugitive Safe Surrender Program was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Greenspan and Gallagher casting dissenting votes.

Item No. 15 of the proposed package regarding allocating \$92,400 per year to the Division of Children and Family Services for a Homeless Services Coordinator position was considered and not approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmembers Schron, Conwell, Connally, Greenspan, Germana, and Gallagher casting dissenting votes.

Item No. 16 of the proposed package relating to allocating \$1,020,597 in 2014 and \$510,298 in 2015 to the Division of Children and Family Services for additional staff for the Medicaid Expansion Unit was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 17 of the proposed package regarding allocating \$1,078,469 in 2014 and \$210,282 in 2015 to the Department of Jobs & Family Services for hardware and software upgrades recommended by the Department of Information Technology was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 18 of the proposed package relating allocating \$630,800 in 2014 and \$1,277,000 in 2015 to the Division of Children and Family Services for hardware and software

upgrades recommended by the Department of Information Technology was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 19 of the proposed package regarding allocating \$1,106,325 in 2014 and \$241,325 in 2015 to the Division of Senior and Adult Services for hardware and software upgrades recommended by the Department of Information Technology was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

Item No. 20 of the proposed package relating to allocating \$65,000 per year to the Division of Children and Family Services for additional funding for routine hardware and software upgrades was considered and approved by majority roll call vote to be included in Resolution No. R2013-0229 with Councilmember Greenspan casting the only dissenting vote.

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2013-0229 was considered and approved by unanimous roll call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

5. MISCELLANEOUS BUSINESS

Mr. Miller thanked Mark Parks, Acting Fiscal Officer; Matthew Rubino, Director of Budget and Management; County Executive FitzGerald; Council staff; staff from the Administration and all members of Council for their work during the budget process.

6. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

7. ADJOURNMENT

On a motion by Mr. Jones with a second by Mr. Germana, the meeting was adjourned at 11:08 a.m., without objection.