

County Council Regular Meeting: July 23, 2019

Observer: Marcia Goldberg

This report contains member observations and selected highlights of a meeting of the Cuyahoga County Council and is not an official statement by any League of Women Voters in the county. For the official disposition of all agenda items, consult the Cuyahoga County Council website at council.cuyahogacounty.us.

I. Introduction

President Dan Brady called the meeting to order at 5 p.m. All 11 Council members and County Executive Armond Budish were present. The meeting ended at 5:45 p.m.

II. Antecedents, Announcements & Public Comment.

This meeting was preceded by a two-hour meeting of Council's Committee of the Whole, where Council members discussed the two competing resolutions for charter changes meant to strengthen the office of county sheriff (the hope being that a stronger sheriff will lead to better jail management). The first proposal, sponsored by Democrat Mr. Brady and Michael Gallagher and supported by Cheryl Stephens, called for direct election of the sheriff; the vote, 8-3, against this proposal meant that it would not move on to the regular Council meeting for second reading adoption.

The second proposal, which leaves the sheriff an appointee of the executive, calls for a four-year term staggered with the county executive's term, increases requirements for the sheriff's education and experience, and gives council the power to remove the sheriff "for cause" by a super-majority vote. Council rejected Yvonne Conwell's amendment that would have extended the sheriff's term to eight years. And it also rejected all but small technical changes suggested by Law Director Greg Huth (in a confidential memorandum council insisted be made public). Mr. Huth's larger concerns about a conflict between executive and legislative powers were rejected by Council members—in fact, Mr. Brady accused Mr. Huth of drafting a political rather than a legal opinion and Ms. Simon said that she found the memorandum faulty in fact, law and grammar. This second resolution passed by a vote of 9-2 (Gallagher and Stephens voting no) and so moved on to the council meeting for second reading adoption.

Also at the Committee of the Whole meeting, Council members asked questions of its own legal counsel, Brendan Doyle, about what to expect Sheriff Clifford Pinkney to do if Council issues a subpoena for his testimony. Pinkney appeared before Council last week but refused to answer any of their 53 questions. Following this discussion, council moved a resolution to subpoena Sheriff Pinkney to the agenda of today's regular meeting. Council wants answers to its questions of fact, with the understanding that Pinkney has the right to invoke his Fifth Amendment rights under certain circumstances.

A League of Women Voters statement for the League opposing the election of a sheriff was made before the Committee of the Whole meeting; no statement by the League was necessary at the regular meeting because the elected sheriff option had been defeated. Ms. Loh, who often speaks at these meetings about the plight of the homeless in the county, today praised the county's Workforce Development discussions.

County Executive Armond Budish encouraged Council to approve a resolution today that would initiate a “microgrid project” in the county. (Council complied—see below—with a caveat.)

III. Business Transacted

Council passed several significant pieces of legislation, including:

- * Placing a county charter amendment on the Nov. 5 ballot that would strengthen the office of county sheriff and increase its independence from the county executive (see above). The measure passed on a vote of 10-1, with Mr. Gallagher the sole opponent.

- * Issuance of a subpoena to the current county sheriff, Clifford Pinkney, to force him to answer their questions about his job, particularly relating to management of the jail. Pinkney is subpoenaed to appear at a Committee of the Whole meeting at 1 p.m. on Tuesday, July 30.

- * A \$235,000 consulting contract with Middough Inc. for development of an RFP (Request for Proposals) for operation of a local microgrid, a backup power grid that would cover the central city using clean energy and thus act as a spur to economic development. Ms. Stephens proposed an amendment approved by Council that the RFP require any money contributed by the county be repaid by participants. (The Cleveland Foundation is committed to contributing \$200,000 toward the cost of the RFP.)

- * An agreement among the county, the Cleveland Municipal School District, and Say Yes to Education Inc. (a national nonprofit that works to increase high school graduation rates and students’ access to higher education) to fund the first year of the Say Yes Cleveland Strategy Program. The program includes wraparound services for younger students and for families. County Health and Human Services levy money to be contributed totals \$242,000; the CMSD will pay \$493,000; and \$680,000 will be covered by federal funds. Ms. Simon praised the program as an “amazing opportunity” and said that Cleveland is among just a handful of cities to benefit from the Say Yes program so far.

- * Amendments to the biennial operation budget that included 1) moving \$3.7 million from the now completed Harvard Garage project to the ongoing and expensive project to align IT systems across county government and 2) \$550,000 to pay for legal representation for Jail Administrator Ken Mills and Warden Eric Ivey. Mr. Miller described these as “bitter pills” that had to be swallowed.

- * \$1.45 million in additional funds for the above mentioned IT alignment project.

- * Transfer of county-owned real property no longer needed by MetroHealth at the intersection of West 25th Street and Sackett Avenue for redevelopment as affordable housing.

- * Two items were moved to third reading at the Aug. 6 meeting: a 1 percent increase in the county bed tax and an amendment to the lease of space at 75 Erieview Plaza by the Family Justice Center.