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Committee of the Whole Morning Session

Documenter name: Barbara Phipps

Agency: [Cleveland City Council](#)

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Summary

- Council members expressed frustration regarding the number of current job vacancies and the impact on the execution of city services.
- Questions arose surrounding the cost of a proposed enterprise-wide HR (human resources) software system.
- The historic Warner and Swasey building redevelopment project in MidTown Cleveland is moving forward.

Follow-Up Questions

- What is the city doing to streamline the hiring process?
- How is the administration engaging the community re: information about the city's budget and financial management process?

Notes

Present:

Blaine Griffin, council president

Jasmin Santana

Brian Kazy

Anthony Hairston

Michael Polensek

Joseph Jones

Kerry McCormack

Deborah Gray

Jenny Spencer

Kevin Bishop

Charles Slife

Kris Harsh

Richard Starr

[Editor's note: Check out the [full agenda](#), complete with links to individual legislation pages].

1256-2023

AN EMERGENCY ORDINANCE to amend Sections 185.01 and 185.08 of the Codified Ordinances of Cleveland, Ohio, as amended by various ordinances; to repeal Section 185.02, Advertisement for Bids; and to supplement the codified ordinances by enacting new Sections 185.011, 185.012, and 185.02 relating to construction contracting.

Discussion:

Jeffrey Applebaum, a lawyer with [Thompson Hine](#) and [Project Management Consultants LLC](#)

City Council Attorney Jennifer O'Leary

James DeRosa, director of the Mayor's Office of Capital Projects

The legislation changes the city's construction policies. DeRosa clarified that the city can still use various methods of construction management techniques.

Polensek said he was shocked that, in light of issues regarding [home rule](#), it appeared that the state is actually taking action to help the city.

Applebaum concurred that this is broadening the city's power to the level the state allowed.

Approved

1294-2023

AN EMERGENCY ORDINANCE authorizing the director of Community Development to enter into a grant agreement with MidTown Cleveland Inc., or its designee, to partially finance redevelopment of a portion of the Warner and Swasey building located at 5701 Carnegie Ave. into affordable senior and family housing units.

Discussion:

Assistant Director of Community Development Michiel Wackers

Edward Peppers, vice president of Econ Development, MidTown Cleveland

The city's grant is to be no more than \$1 million using some discretionary [American Rescue Plan Act \(ARPA\) funds](#).

Peppers showed a [slide presentation](#) and historical facts regarding the building and MidTown community demographics. This project includes a [Pennrose development](#) partnership, officials said. Community will provide input for the mixed-use portion (whether to be a grocery store, etc.). The project will provide 120 construction jobs, with the aim of 20% of workers being Cleveland residents and 4% low-income residents, according to the presentation.

Hairston expressed full support.

Griffin cautioned that MidTown and the city should stay on top of Pennrose management. Polensek mentioned that this discussion started during George Forbes' tenure. Forbes was president of City Council from 1974-1989.

Approved.

1371-2023

AN EMERGENCY ORDINANCE to amend the grant agreement entered into under Ordinance No. 753-2021, passed September 20, 2021, as amended, relating to applying for and accepting a grant from the Cleveland Foundation for the development of the African American Cultural Gardens.

Discussion:

Overall, there is a \$3 million development plan for the garden, a project official said. The ordinance will extend the date of the grant through December 2024. The grant is for \$325,000. Members discussed options for helping with fundraising for the garden by making options for the council to donate, along with contacting the National African American Museum at the Smithsonian Institution.

Spencer asked about security and long-term maintenance plans.

Approved.

1361-2023

Ahmed Abonamah, Cleveland chief financial officer
Nicole Gallagher, Cleveland interim budget manager

AN EMERGENCY ORDINANCE to make additional appropriations of \$45,020,000) to the [General Fund](#), \$11,339,200 to the [Special Revenue Fund](#), and \$205,000 to the Internal Service Fund.

Discussion:

Committee members discussed supplementing some city funds.

The Division of Streets took on more resurfacing projects than expected, Abonamah said. To help balance its budget, it would receive most of the \$11.3 million going to the Special Revenue Fund.

Griffin expressed his support and mentioned that some of the money will go to the West Side Market, streets, and Human Resources (HR) software that will help expedite hiring.

Polensek balked at the \$10 million price tag for the HR enterprise-wide software system. Abonamah explained the benefits of the new software to eliminate errors, etc. That money would come from the General Fund.

Harsh requested more details about the software. Abonamah offered to provide the [request for proposals \(RFP\)](#) that went out last week and said that the discussions around improving the process have been around since the Mayor Frank Jackson administration.

Starr questioned whether the surplus allocation process is a “best practice.” He said emphatically that the needs of residents cannot be met because the city doesn’t have funding.

He gave the example of houses that need to be demolished but the Department of Building and Housing Department doesn’t have the funding required to complete the work. During the “very last council meeting of the year, we’re talking about transferring \$56 million,” he said. “It’s odd to me that we have money, a surplus of cash available.”

Starr said that when he introduced [Ordinance 97-2023](#), a proposed 50-50 split of [casino funds](#), the director said that would create a huge gap in the budget.

Speaking to fellow council members, Starr said, “The administration is not doing what we need them to do. They’re doing what they want to do. And they’re not looking out for the best interests of the residents that we represent.”

Starr requested an amendment that all allocations come back and get approval for all of the \$56 million.

Abonamah explained that everything will have to come back to council except the HR software system allocation, which council already approved. He said a significant number of vacancies was a major contributor to the surplus.

Starr asked how much the surplus was last year. Abonamah said he did not recall.

Griffin said the information would be helpful. Starr responded, 'With all due respect to everyone at the table, it be nothing but B.S. going on. And I'm tired of the B.S.'

There was a rehash of [Issue 38](#). Griffin intervened and redirected the discussion of the ordinance on the table. Starr said his slogan for 2024 is "Challenge the status quo."

Starr said he spoke with community development corporations in his ward that have not received funds he had allocated for them.

Spencer requested clarification on the source of funds, vacancies, additional revenue, etc. Jones asked for a breakdown of those revenue streams.

Bishop confirmed that there is \$65 million in the [rainy day fund](#). He asked if any of the money being transferred would be put into the Rainy Day fund. He was told no.

Polensek asked why it showed that they are \$2.3 million over budget for motor vehicle charges. Something in writing will be provided, he was told.

Approved.

1362-2023

AN EMERGENCY ORDINANCE to provide for the transfer and amendment to the General Fund appropriations in the amount of \$18,080,000; \$10,000 within the Internal Service Fund; and \$90,000 within the Small Enterprise Fund.

Discussion:

This legislation -- a [transfer ordinance](#) -- would allow the transfer of already budgeted money within the mentioned funds.

Polensek requested that Abonamah read each line item through the list of transfers to and from. After listening, he explained that the purpose was to show that "critical departments and divisions do not have adequate staff."

Polensek said that, at polling places during the election regarding Issue 38, he heard from residents who “don’t believe services are being delivered.” He said City Council budgeted for the positions and city services, and the administration needs to hire people.

Griffin confirmed with Abonamah that there are about 800 vacancies at the moment.

Abonamah said, “As much as I love being set up, if you exclude Public Safety from our hiring and attrition data, we’re about even from where we were at the beginning of the year we cannot conscript people and force them to work here.”

Polensek responded, “I don’t set anyone up at the table. I ask questions on behalf of not only myself but my colleagues and my constituents. It’s about transparency, about transparency in government.”

Hairston concurred with Polensek that positions must be filled. He requested a chart of vacancies and those that have been advertised.

Abonamah explained the hiring process. It takes a very long time, including the steps of Civil Service testing, to hire someone. Griffin said that “hopefully” the new software will help identify in real time the status of hiring and vacancies.

Abonamah explained that the job posting is to sign up to take the test, and then there is a significant wait time for processing everything.

Approved.

1363-2023

AN EMERGENCY ORDINANCE to make temporary appropriations for the current payrolls and other ordinary expenses of the City of Cleveland from the period from Jan. 1, 2024, until the effective date of the annual appropriation ordinance for the fiscal year ending Dec. 31, 2024.

Approved.

Abonamah said they are doing more in-person community events explaining how the city budget works.

1355-2023

AN EMERGENCY ORDINANCE to amend Section 1 of Ordinance No. 683-2023, passed July 12, 2023, relating to the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items, for the Department of Public Utilities.

Approved.

1356-2023

AN EMERGENCY ORDINANCE to amend Section 1 of Ordinance No. 684-2023, passed July 12, 2023, relating to the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items, for the various divisions of city government.

Includes a mobile stage, SUVs, etc.

Discussion:

Hairston joked that the only reason he was voting “yes” for the ordinance was because he wanted to see a sidewalk sweeper on the list.

Jones offered kudos to Frank Williams, director of Public Works. They discussed the lead time to acquire the vehicles and equipment. They should be on hand by the end of 2024.

Approved.

1339-2023

AN EMERGENCY ORDINANCE authorizing the director of Public Health to apply for and accept a grant from Case Western Reserve University for the Public Health Training for Northeast Ohio Workforce Program.

Discussion:

Public health officials in Northeast Ohio can get a free Master of Public Health (MPH) or take free MPH classes from Case Western Reserve because of the grant opportunity.

Approved.

1367-2023

AN EMERGENCY ORDINANCE authorizing the director of Public Health to enter into one or more contracts without competitive bidding with URG Corp. and Met One Instruments

for the purchase of proprietary samplers for up to four monitoring sites, for the Division of Air Quality, Department of Public Health.

Discussion:

McCormack asked for the status of sampler coverage in the Lakeview Estates area and what it would take to get equipment installed.

Answer: Have to make a request through the Ohio EPA and explain what they would be looking/sampling for. They're using redlining and health data for determining where to establish an official presence. There is a complaint hotline available.

Polensek asked for locations of the four sampling sites - the G.T. Craig monitoring site, St. Theodosius Church, at the Cleveland Division of Water building on Harvard Road bordering Newburgh Heights, and the Southerly Wastewater Treatment Plant. Those sites were determined by the state, according to officials.

Other locations are: Cleveland Fire Station 13 on Broadway Avenue, the Fifth District Police station on E. 152nd Street, and the Galleria downtown.

Jones asked if there are sites in the Harvard area. The officials said they would have to check the map. He asked if there are sites in the Tremont area. Officials said yes. Jones said he wants to see sites throughout the city.

Approved.

1370-2023

AN EMERGENCY ORDINANCE authorizing the director of Public Health to enter into one or more contracts with various agencies and entities to provide [MomsFirst](#) services to women at risk of poor birth outcomes for a period of one year.

Discussion:

Starr asked if there were any MomsFirst sites in Ward 5.

Answer: It is a home visiting service, so they partner with agencies that cover the different sections. It has been a partner with Friendly Inn for decades.

Jones expressed appreciation for the work being done, especially addressing and lowering infant mortality rates.

Approved.

1366-2023

AN EMERGENCY ORDINANCE approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting and approving a petition and plan from a property owner in the district identifying a special energy improvement project, declaring it necessary to conduct the special energy improvement project providing for the assessment of the cost of such special energy improvement project; and authorizing the director of Economic Development to enter into an energy project cooperative agreement and a special assessment agreement to implement the project; and declaring an emergency.

Discussion:

Property Assessed Clean Energy (PACE)

The property is a 50,000-square-foot office building with a wide array of business tenants.

Approved.

1194-2023

AN EMERGENCY ORDINANCE determining the method of making the public improvement of constructing various improvements to the Parma Pump Station; and authorizing the director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

Approved.

1253-2023

AN EMERGENCY ORDINANCE authorizing the purchase by one or more requirement contracts of hauling and disposing of residuals from the Crown Water Works Plant, and, in emergencies, other water treatment plants; authorizing the director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Polydyne Inc. for polymer chemicals needed for dewatering Crown's residuals, for the Division of Water, Department of Public Utilities, for up to two years.

Discussion:

Jones received clarification that some of the residual waste has to be hauled away by truck.

Martin Keane, Public Utilities director: Some is used for agricultural methods or landfill, etc. Some go back into the lake.

Approved.

1272-2023

AN EMERGENCY ORDINANCE authorizing the director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Southeastern Equipment Co. and Murphy Tractor & Equipment Co. for the purchase of proprietary replacement parts of heavy-duty construction equipment, and labor and materials to repair and maintain the proprietary equipment, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, for a term of two years.

Approved.

1277-2023

AN EMERGENCY ORDINANCE determining the method of making the public improvement of maintaining and improving the interior and exterior of various buildings and sites, including but not limited to roofs and related building and site systems; authorizing the director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to apply for and accept any grants, including but not limited to grants from the Northeast Ohio Regional Sewer District for Community Cost Share Program funding, for a period of two years.

Approved.

1357-2023

AN EMERGENCY ORDINANCE authorizing the director of Port Control to exercise the second option to renew Contract No. LS 2021*006 with Prospect International Airport Services Corp. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support their wheelchair operations and other ancillary services for Delta Air Lines and other airlines.

Approved.

1358-2023

AN EMERGENCY ORDINANCE authorizing the director of Port Control to execute a deed of easement granting to East Ohio Gas Co., doing business as Dominion Energy Ohio, certain easement rights in property located at Cleveland Hopkins International Airport, and declaring that the easement rights granted are not needed for the city's public use.

Approved.

1359-2023

AN EMERGENCY ORDINANCE authorizing the director of Port Control to enter into a lease agreement with United Airlines Inc. for the lease of Building Nos. 213 and 219 on Cargo Road at Cleveland Hopkins International Airport for their administrative offices, and for purposes of maintaining flight operations and ground service equipment owned by United Airlines.

Approved.

1360-2023

AN EMERGENCY ORDINANCE authorizing the director of Port Control to employ one or more consultants, developers, or vendors needed for various projects, services and upgrades to implement and facilitate an airport sustainability management plan and other related projects; and to enter into various written standard purchase and requirement contracts needed in connection with the plan.

Discussion:

Bryant L. Francis, Port Control director

Dennis Kramer, department official

McCormack recommended that he and Hairston visit when the project is up and running to discuss the sustainability aspects of it.

Hairston joked, "Only if the director gets us a Starbucks on Concourse B."

Approved.

1365-2023

AN EMERGENCY ORDINANCE authorizing the Director of Port Control to employ one or more professional consultants to perform various services relating to projects on the Airport Capital Improvement Plan; determining the method of making the public improvement of constructing the stormwater outfall stabilization and safety access

project and rehabilitating the tunnel to the Greater Cleveland Regional Transit Authority's terminal at Cleveland Hopkins International Airport; and authorizing the Director of Port Control to enter into one or more public improvement contracts for the making of the improvement.

Discussion:

McCormack and Jones' questions were inaudible.

Approved.

American Rescue Plan Act - ARPA

<https://www.gfoa.org/american-rescue-plan-spending-guiding-principles>

Jeffrey Applebaum

<https://www.aboutpmc.com/professionals/jeffrey-r-appelbaum/>

Community Benefits Agreement Ordinance

<https://www.clevelandcitycouncil.org/resources/news-media/community-benefits-agreements-ordinance-introduced-other-council-meeting>

Signal Cleveland Explainer: Cleveland Board of Control

<https://signalcleveland.org/clevelands-board-of-control-votes-to-spend-taxpayer-money-what-is-it-explainer/>

MidTown Cleveland

<https://midtowncleveland.org/>

Warner Swasey Building

<https://clevelandhistorical.org/items/show/623>

African American Cultural Gardens

<https://clevelandculturalgardens.org/gardens/african-american-garden/>

Cleveland Division of Streets

<https://clevelandohio.gov/city-hall/departments/public-works/divisions/streets>

NEOGov

<https://www.neogov.com/>

Ohio EPA

<https://epa.ohio.gov/wps/portal/gov/epa/home>

Ohio EPA - Cuyahoga County

<https://epa.ohio.gov/help-center/contact-list/cuyahoga>

Department of Health, Equity, and Social Justice

<https://clevelandohio.gov/city-hall/departments/public-health/divisions/health-equity-social-justice>

Mom's First

<http://momsfirst.org/>

Friendly Inn

<https://friendlyinn.org/services-for-families-and-individuals/>

Property Assessed Clean Energy Programs - PACE

<https://www.energy.gov/scep/slsc/property-assessed-clean-energy-programs>

Bipartisan Infrastructure Law

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/11/06/fact-sheet-the-bipartisan-infrastructure-deal/>

Penrose Development

<https://www.pennrose.com/development/>

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