

**CUYAHOGA COUNTY DIVERSION BOARD
BYLAWS**

ARTICLE 1 — NAME, PURPOSE, AND FUNCTION

Section 1 – Purpose

Cuyahoga County (“County”) is committed to advancing and promoting the economic, health, safety and social progress of all County residents. The County strives to provide appropriate community-based treatment for people with mental illness and/or substance use disorders, and prevent or minimize periods of incarceration of those community members with mental illness and/or those with a substance use disorder. The County is further dedicated to providing a means to foster communication between officers and health professionals to keep all communities safe, residents healthy, and low-level offenders out of the jail system.

The Cuyahoga County Diversion Board (“CCDB”) was established by Ordinance No. O2021-0001 and supplemented by Resolution No. R2020-0265 to serve as a resource for information and advice on operation of, and to provide recommendations and input on goals, strategies and programs of the Cuyahoga County Diversion Center.

Section 2 – Functions and Duties

The purpose of the CCDB is to support the efforts of and serve as advisors to the Cuyahoga County Diversion Center.

To fulfill this purpose, members of the CCDB shall do the following:

1. Serve as a resource for information and advice for the Diversion Center Operator, crisis intervention training teams and crisis response teams.
2. Encourage hospitals, mental health providers and substance use disorder providers to participate as resources for the CCDB.
3. Encourage community outreach and public participation in the goals and strategies of the Diversion Center.
4. Make recommendations and provide input to the Executive and Council regarding the development of goals, strategies, and programs.
5. Meet publicly on a quarterly basis to provide a forum for the public to participate in a discussion and make recommendations regarding the operation of the facility.
6. Issue an annual report of its findings and recommendations by January 31st of each year using the data and metrics collected from the Diversion Center. The annual reports shall also be made available to the public online.

ARTICLE II — MEMBERSHIP & OFFICERS

Section 1 – Composition

The CCDB shall be composed of nine (9) members.

The County Executive shall appoint four (4) members. The Executive's appointments shall be confirmed by Cuyahoga County Council.

Cuyahoga County Council President shall appoint two (2) members to the CCDB.

Cuyahoga County Prosecutor shall appoint one (1) member to the CCDB.

Cuyahoga County Public Defender shall appoint one (1) member to the CCDB.

Cuyahoga County Common Pleas Court Administrative and Presiding Judge shall appoint one (1) member to the CCDB.

Not more than two (2) of the six members of the CCDB appointed by the Executive and Council President may be employees of Cuyahoga County.

Members will serve without compensation, except for out of pocket expenses approved by the Board.

Section 2 – Criteria for Membership

Members of the CCDB should be reflective of the diversity of the population of Cuyahoga County. Members of the CCDB should possess a relationship with hospitals and mental health providers, non-profit and governmental agencies, substance use disorder providers working with Cuyahoga County and the criminal justice system, or other like group.

Section 3 – Term of Office

Two (2) of the four (4) members appointed by the County Executives shall serve an initial term of three (3) years; and two (2) of the four (4) members appointed by the County Executive shall serve an initial term of one (1) year term.

One (1) of the two (2) members appointed by County Council President shall serve an initial term of three (3) years; and, one (1) of the two members appointed by County Council President shall serve an initial term of one (1) year.

The three (3) members appointed by the Cuyahoga County Prosecutor, the Cuyahoga County Public Defender, and the Administrative and Presiding Judge of the Common Pleas Court General Division shall serve an initial term of two (2) years.

Thereafter, all terms shall be for three (3) years.

If a vacancy occurs, the original appointing authority shall appoint a replacement in the same manner as the original appointment for the remainder of the unexpired term.

Appointees are eligible for reappointment to the CCDB for a three (3) year term after their initial term.

Section 4 – Officers

Officers will include a Chair and Vice-Chair.

The CCDB will select a member to serve as Chair and Vice-Chair. Upon the resignation of the Chair or Vice-Chair, CCDB will fill the vacancy by election by a majority of its members at the next CCDB meeting.

In the absence of the Chair, the Vice-Chair shall preside at the CCDB meetings and fulfill all tasks associated with the Chair's duties and responsibilities.

Section 4(a) – Terms for Officer Positions

The Chair will serve a 3-year term and may be re-elected.

The Vice-Chair will serve a 2-year term and may be re-elected.

Section 4(b) – Chair Responsibilities.

The Chair shall sign all legal documents on behalf of the CCDB, supervise the activities of CCDB and represent or speak on behalf of the CCDB.

The Chair shall create the meeting agendas. The County's designated administrative staff support position (Article III) will work with the Chair to publish and post their agendas.

Section 5 – Nomination

Any member may bring forth a nomination for Chair or Vice-Chair. A member may nominate him or herself.

Section 6 – Voting

The CCDB will elect the Chair and Vice-Chair by voice vote. Both the Chair and Vice-Chair must be elected by a majority of the CCDB membership.

ARTICLE III – STAFFING

The CCDB will be staffed by a person designated by the County Executive. The staff person, or his or her designated representative, shall be responsible for recording the minutes of all CCDB meetings, transmitting notices and agenda to the membership, and transmitting copies of the minutes of each CCDB meeting to each member prior to the next regular meeting. The staff person shall ensure that consensus, majority, and dissenting views on all matters and issues are recorded and reported.

ARTICLE IV – MEETINGS

Section 1 – Quorum

A quorum exists when a majority of the members are physically present at a particular location. A majority requires fifty percent plus one of the CCDB total membership. The CCDB may establish a quorum through telephonic or electronic presence as permitted under the amendments to Ohio's Sunshine laws and related statutes.

Section 2 – Regular Meetings

The CCDB will meet at a minimum, on a quarterly basis. The Chair may cancel and reschedule any meeting in the event that it falls on a federal or state holiday. The Chair may also cancel and reschedule a meeting on an emergency basis.

Section 3 – Special Meetings

Special meetings of the CCDB may be called by the Chair. Notices of special meetings shall include the date, time, place and agenda and shall be sent to members at least 48 hours prior to the special meeting. Business at special meetings must be limited to the subjects listed in the noticed agenda.

Section 4 – Attendance

If any member fails to attend three consecutive regular meetings without excused absences, the CCDB may remove that member and appoint a replacement by a majority vote.

Section 5 – Notice of Meetings.

Notice of all meetings will be posted on the County website at least 24 hours prior to the commencement of a meeting and shall comply with all requirements in Ohio Revised Code Section 121.22(F).

The County support staff person shall provide notification of all meetings to members via the email address provided by each member.

Section 6 – Agenda.

The Chair will develop the agenda for each meeting.

Members may submit proposed agenda items to the staff person at least five (5) business days in advance of the next-scheduled meeting.

If the CCDB does not discuss an agenda item during a meeting, the item will automatically be added as an unreachd item to the next CCDB meeting agenda.

Section 7 – Minutes

Minutes shall be kept of all CCDB meetings and held for public viewing in the County Executive's Office. All minutes shall be submitted to the CCDB for approval and will be posted on the same website as the CCDB meeting agendas.

Section 8 – Rules of Procedure (Parliamentary Authority)

At any meeting of the CCDB, *Robert's Rules of Order, Newly Revised* shall govern the conduct of such meetings except where the rules are inconsistent with the provisions of these by-laws.

ARTICLE V – MOTIONS, VOTING, AND RECORDING

Section 1 – Presentation of Business

The CCDB may accept information and presentations from members of the board and the public. The CCDB may discuss and debate the contents thereof.

Section 2 – Voting

A majority of the CCDB membership must approve all motions.

Voting on any matter shall be by voice vote; a roll call vote shall be called and recorded on any issue if requested by one or more members. Upon request of any member, the staff person shall repeat the motion and the name of the mover and seconder immediately preceding a vote by the CCDB. The vote of each CCDB member shall be recorded in the CCDB's minutes.

ARTICLE VI – COMMITTEES

Section 1 – Creation

The CCDB Chair may create subcommittee at his/her discretion. The subcommittee shall study issues of concern and present recommendations to the full CCDB.

Section 2 – Membership

The subcommittee membership will be on a voluntary basis, of any size, and may include members of the public.

Section 3 – Meetings

All subcommittees must comply with the meeting procedures outlined in Article IV, except that any reference to the "Chair" in Article IV shall refer to the Chair of the subcommittee.

Section 4 – Function

The subcommittee may only undertake the tasks authorized by the CCDB. Subcommittees shall only have the authority granted to it by the CCDB.

Subcommittees do not have the authority to bind or make any decision, recommendation, or representation on behalf of the CCDB.

ARTICLE VII AMENDMENTS

These bylaws may be altered, amended, or repealed and new bylaws may be adopted by a two-thirds vote of the CCDB present at any regular meeting. These bylaws shall not be altered, amended, or repealed, nor shall any new bylaws be adopted at any regular meeting of the CCDB unless two-thirds of the CCDB membership are present.

Adopted 7/23/2021

Date

A handwritten signature in blue ink, appearing to read "Abraham Port", is written over a horizontal line.

Chairperson