

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0010

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| Sponsored by: Councilmembers Connally and Simon | An Ordinance amending Section 205.06 of the Cuyahoga County Code to incorporate changes to the composition and compensation of the Cuyahoga County Debarment Review Board, and declaring the necessity that this Ordinance become immediately effective. |
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WHEREAS, Ordinance No. O2012-0026 was enacted on December 11, 2012 to create the Cuyahoga County Debarment Review Board; and,

WHEREAS, County Council desires to change the composition of the Cuyahoga County Debarment Review Board from the Cuyahoga County Fiscal Officer to a judge who has served within Cuyahoga County; and,

WHEREAS, County Council desires to provide a per diem compensation rate to the public members of the Cuyahoga County Debarment Review Board; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Section 205.06(A)(1) of the Cuyahoga County Code is hereby amended to read as follows (deletions struck through and additions bolded and underlined):

1. ~~The Cuyahoga County Fiscal Officer~~ **A person appointed by the Presiding Judge of the Cuyahoga County Common Pleas Court. This person shall be an elector of the County and be a person who served as a judge of the 8th District Court of Appeals, the Cuyahoga County Common Pleas Court, or any municipal court located within Cuyahoga County. The term of this person shall be for three years. The initial three year term shall be appointed for a term commencing July 1, 2014 and expiring on June 30, 2017;**

SECTION 2. Section 205.06(C)(1) of the Cuyahoga County Code is hereby amended to read as follows (deletions struck through and additions bolded and underlined):

1. The ~~County Executive~~ **Presiding Judge** shall appoint ~~one~~ **two** alternates **who meets the qualifications set forth in Section 205.06(A)(1) of the Cuyahoga County Code** to act in the place of the **original appointee by the Presiding Judge** ~~Cuyahoga County Fiscal Officer~~ on the Debarment Review Board and attend meetings, with full voting rights, **if the person named to the Debarment Review Board by the Presiding Judge** ~~Fiscal Officer~~ is unavailable or has a conflict of interest on a matter pending before the Board.

SECTION 3. Section 205.06(D) of the Cuyahoga County Code is hereby amended to read as follows (deletions struck through and additions bolded and underlined):

Officers: The ~~Fiscal Officer~~ **appointee of the Presiding Judge of the Cuyahoga County Common Pleas Court** shall serve as Chairperson of the Debarment Review Board. If the ~~Fiscal Officer~~ **appointee of the Presiding Judge of the Cuyahoga County Common Pleas Court** is absent from any meeting, the Board shall choose one of its members to chair that meeting. For purposes of this section, the ~~Fiscal Officer~~ **appointee of the Presiding Judge of the Cuyahoga County Common Pleas Court** shall include his or her alternates.

SECTION 4. Section 205.06(E) of the Cuyahoga County Code is hereby amended to read as follows (deletions struck through and additions bolded and underlined):

Compensation: The members of the Debarment Review Board, **excluding the member of the Cuyahoga County Council appointed by the Council President**, shall ~~not~~ receive a compensation **rate of \$200.00 per diem** for their service on the **Debarment Review Board** and **the Chairperson of the Debarment Review Board shall receive a compensation rate of \$225.00 per diem for his or her service on the Debarment Review Board.** ~~Members of the Debarment Review Board shall be entitled to reimbursement of reasonable and necessary expenses incurred by them in the exercise of their duties.~~

SECTION 5. Section 205.06(I) of the Cuyahoga County Code is hereby amended to read as follows (deletions struck through and additions bolded and underlined):

Special Meetings: The Debarment Review Board may conduct special meetings at a time other than its regularly scheduled meeting times. In the event of an emergency as determined by the ~~Fiscal Officer~~ **appointee of the Presiding Judge of the Cuyahoga County Common Pleas Court**, the Board may conduct a meeting with less notice than that required under Section 205.06(G) herein. For

any special or emergency meeting, in addition to the notice requirements of Section 205.06(G), the Clerk of the Board shall also send notice to all news media organizations that request to be notified of such meetings.

SECTION 6. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 7. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Ms. Simon, seconded by Ms. Conwell, the foregoing Ordinance was duly enacted.

Yeas: Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Hairston and Connally

Nays: None

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| _____ | _____ |
| County Council President | Date |
| _____ | _____ |
| County Executive | Date |
| _____ | _____ |
| Clerk of Council | Date |

First Reading/Referred to Committee: March 25, 2014
Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: May 27, 2014

Journal CC014

June 10, 2014