

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0030

Sponsored by: <b>Councilmember Conwell</b>	<b>An Ordinance</b> enacting the Cuyahoga County Appointment and Confirmation Act, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: <b>Councilmembers Connally, Germana, Brady and Miller</b>	

WHEREAS, Article II, Section 2.03 (2) of the Charter of Cuyahoga County, empowers the County Executive to “appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities;” and,

WHEREAS, Article II, Section 2.03 (2) of the Charter states that “if the Council shall fail to act on the question of such an appointment by the County Executive within sixty days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council;” and

WHEREAS, Article II, Section 2.03 (2) of the Charter states “the County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing such officers and members;” and,

WHEREAS, Article XII, Section 12.07 of the Charter states “[a]ll officers and members of boards, agencies, commissions and authorities appointed by the County Executive, the Council or other County elected officials... shall be appointed, employed, promoted, and compensated without regard to their race, color, religion, sex, national origin, sexual orientation, disability, age, or ancestry;” and,

WHEREAS, the Council desires to standardize the confirmation process in order to fully evaluate candidates submitted for appointment, and to ensure the foregoing Charter principles are consistently upheld; and,

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

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

**SECTION 1.** Chapter 114 of the Cuyahoga County Code is hereby enacted as follows:

**CHAPTER 114: Appointment and Confirmation**

**Section 114.01: Submission of Appointments to County Council**

- A. The submission of any candidate to the Council for confirmation shall be accompanied by the following:
1. A letter from the candidate requesting the appointment, if such a letter was submitted to the appointing authority;
  2. A copy of the candidate's current résumé or equivalent summary of academic, professional, and experiential qualifications;
  3. A copy of any and all professional licenses or other credentials held by the candidate that are required to be held by the appointee; and
  4. A letter from the appointing authority providing the following information:
    - i. The title of the board, agency, commission, or authority to which the candidate is being appointed;
    - ii. Any statutory or other qualifications required to hold the appointed position, plus a statement that the candidate meets such qualifications;
    - iii. The specific term of office during which the candidate would serve;
    - iv. An indication of whether the candidate is being considered for a new appointment or for reappointment;
    - v. For a new appointment: the name of the individual who the candidate would replace;
    - vi. For a reappointment: the past attendance record of the candidate, if maintained by the board, agency, commission or authority to which the candidate is being appointed;
    - vii. A cumulative list of individuals who applied for the position;
    - viii. The candidate's city and county of residence;
    - ix. An indication of whether the candidate currently serves on any government, private, or non-profit board or commission;
    - x. An indication of whether any opinion was requested or issued from the Inspector General, the Ohio Ethics Commission, or other authority

regarding potential conflicts of interest related to the candidate's appointment.

- B. In the event that any of the information identified in this Section is not provided to the Council with the submission of an appointment, such omission shall be deemed sufficient grounds for rejection of a candidate's appointment by the Council.

**SECTION 2.** 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 eight members of Council, this Ordinance 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 3.** It is found and determined that all formal actions of this Council concerning and 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. Conwell, seconded by Mr. Miller, the foregoing Ordinance was duly enacted.

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

Nays: None

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

First Reading/Referred to Committee: October 14, 2014  
Committee(s) Assigned: Human Resources, Appointments & Equity

Additional Sponsorship Requested on the Floor: October 14, 2014

Committee Report/Second Reading: October 28, 2014

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