

County Council of Cuyahoga County, Ohio

Ordinance No. O2015-0004

| | |
|--|---|
| Sponsored by: Council President Brady | An Ordinance establishing the process by which county officers or employees serving on public bodies may designate alternates to serve in their stead, and declaring the necessity that this Ordinance become immediately effective. |
| Co-sponsored by: Councilmember Miller | |

WHEREAS, the County Executive, members of County Council, and various other county officers and employees have been called to serve on public bodies to represent the county, or otherwise serve in their capacity as a county official or employee; and,

WHEREAS, Section 2.03(6) of the Charter provides that the County Executive shall "...serve, in person or by his or her delegate, as a member of the County Budget Commission and of the County Board of Revision"; and,

WHEREAS, various public bodies have established statutory or procedural rules governing the designation of alternates, including but not limited to, the Board of Control, the Contracts and Purchasing Board, the Debarment Review Board, and the Administrative Rules Board; and,

WHEREAS, Council now seeks to establish a general process by which alternates may be designated to serve in lieu of any member, except where otherwise provided by law or by regulation of the public body on which the county officer or employee serves; 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 the County.

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

SECTION 1. The existing language in Section 112.01 is hereby enacted as Section 114.02(B) and Chapter 112 of the Cuyahoga County Code is hereby repealed in its entirety. All references to Chapter 112 throughout the Code are hereby amended to refer to Chapter 114 as of the date of enactment of this ordinance.

SECTION 2. Chapter 112 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 112: Designation of Alternates

Section 112.01 Alternates serving in lieu of County Officers and Employees

A. Any county officer or employee who serves on a public body as a representative of Cuyahoga County, or otherwise serves in his or her official capacity as a county officer or employee, may designate an alternate to serve in his or her stead with full voting rights, on a temporary or recurring basis. Alternates shall hold any residency, professional background, license, or county employment requirements that the principal officer or employee is required to hold. This Section shall not apply where the designation of alternates is otherwise provided by law or by the regulations adopted by the public body on which the county officer or employee serves.

SECTION 3. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 4. 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 Mr. Miller, seconded by Mr. Brady, the foregoing Ordinance was duly enacted.

Yeas: Simon, Greenspan, Miller, Germana, Jones, Brown, Hairston and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 10, 2015

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Additional Sponsorship Requested: March 31, 2015

Committee Report/Second Reading: April 14, 2015

Journal CC018

April 28, 2015