



Meeting Agenda

Purpose: Organizational Meeting of the Charter Review Commission

Time: Tuesday, November 21st at 4pm

Location: 4th Floor Committee Room A
County Administration Building
2079 East Ninth Street
Cleveland, Ohio 44113

Commission Members:

The Honorable Ronald B. Adrine, Chairman
Diane Downing
The Honorable Susan A. Drucker
Dennis G. Kennedy, Vice Chairman
Michael W. King

The Honorable Thomas P. Perciak
Claire Rosacco
Victor A. Ruiz
Davida Russell

Agenda:

Item	Time	Action	Leader
1.	4:00	Call to Order, Roll Call	Chair
2.	4:05	Minutes	Chair
3.	4:10	Discussion: Process Update <i>Discuss how to structure our work towards transmission of recommendations to County Council by June 2018.</i>	Staff
4.	4:20	Discussion: Proposed Amendments <i>Attachments: All proposals for amendment as of 11/14/17.</i> <i>Advocates for all submissions to the Charter Review Commission for their consideration have been invited to propose their amendment to the Commission.</i> <i>Invited Speakers (Five minute introduction of the topic)</i> A. <i>Marcia Goldberg, League of Women Voters</i> <i>Topic: Office of Inspector General</i> B. <i>Marcia Goldberg, League of Women Voters</i> <i>Topic: Nonpartisan elections</i> C. <i>Councilman Dale Miller</i> <i>Topic: Inspector General Amendment</i> D. <i>Debbie Southerington, Chair of Personnel Review Commission</i> <i>Topic: Proposed Amendments to Article IX</i> E. <i>Armond Budish, County Executive</i> <i>Topic: Roles of the PRC and Department of HR</i>	Chair

5.	5:05	Public Input	
6.		Adjourn Next meeting: December 6 th , 5:30pm))	

Meeting Materials (previously distributed and posted online):

1. Meeting Minutes from October 4, 2017
2. All submissions for proposed amendments as of 11/14/17. NB: Originals are on file with the Commission Clerk; text is presented unedited for readability and consistency.



MINUTES
CUYAHOGA COUNTY CHARTER REVIEW COMMISSION
WEDNESDAY, OCTOBER 4, 2017
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COMMITTEE ROOM A – 4TH FLOOR 4:00 PM

1. CALL TO ORDER

Chairman Ronald B. Adrine - called the meeting to order.

2. ROLL CALL

The Honorable Judge Ronald B. Adrine
The Honorable Susan A. Drucker
Dennis G. Kennedy
The Honorable Thomas P. Perciak
Michael W. King
Claire Rosacco
Victor A. Ruiz
Davida Russell (phone)

A quorum was established.

3. APPROVAL OF MINUTES FROM SEPTEMBER 6, 2017 MEETING.

A motion was made and seconded to approve the minutes (Perciak / King). Minutes approved.

4. DISCUSSION: MEETING WORKFLOW – Discuss how to structure our work towards transmission of recommendations to County Council by June 2018.

Chairman Adrine introduced the agenda item, by highlighting the charge of the Commission is to deliver recommendations for Charter amendments to the County Council before the first day of July 2018. He challenged the Commission to be thoughtful and through, doing so requires the Commission to narrow its focus to allow sufficient time for public input and thoughtful discourse on priority proposals for amendments. Chairman Adrine proposed an agenda as follows, which was proposed by Commission staff:

October	Define Evaluation Criteria
November	Invite topics for consideration
December	Prioritize topics for consideration

Jan – Feb Discuss priority topics
Mar – May Review draft amendments
June Recommendation & report reviewed
July 1, 2018 Report transmitted to County Council

Commission members encouraged a meeting dedicated to public solicitation and input in December, adding another meeting to invite more public input and participation. Staff committed to responding accordingly, including seeking traditional and social media efforts to increase opportunity and engagement.

The Commission also emphasized their interest in hearing from elected officials, agency heads and other sources whose work is impacted by the Charter to weigh in directly to the Commission.

The Commission requested written and oral presentations.

5. DISCUSSION: CRITERIA FOR COMMISSION CONSIDERATION – Discuss and determine the criteria used to evaluate proposed topics for Commission future discussions.

Chairman Adrine proposed a focused Commission. He acknowledged that the 2013 Commission had a justifiably broad scope. They considered numerous proposals and recommended 15 charter amendments. He reflected upon presentations from the September Commission meeting that recognize County Council still has the 2013 recommendations, which are still relevant, familiar and available for their consideration. He recommended emphasizing recommendations that are new to the Commission. Previous recommendations should be considered if there's new information, experience or conditions that warrant further, deeper, additional consideration. The Commission also agreed on a focus guided by the Charter Preamble, towards greater accountability and efficiency for county government for all its cities and citizens.

CRITERIA – TO BE USED

- A. Evaluations by prior committee?
- B. New information or conditions?
- C. Clarity?
 - 1. Clarity of Language
 - 2. Clarity of Purpose
- D. Best handled by the Charter?
- E. Contribute to Government?
- F. Powers & Opportunities for County Government?

6. PUBLIC INPUT:

Chairperson Adrine called for public input. Two people signed the list to give comments.

Ms. Loh - Asked the committee to start the public input early in the process, and considered separating it from presentations from elected officials, agency heads and advocacy

organizations. She reasoned that some may be more comfortable in a less structured setting. The Commission agreed and committed to accommodate her input.

Mr. William Tartar Jr. – expressed agreement with Ms. Loh’s comments. He also asked the committee to invite the public to speak/share their thoughts or ideas – their ideas are just as important as elected officials.

Chairperson Adrine thanked Ms. Loh and Mr. Tartar Jr. for their input.

7. ADJOURNMENT

Judge Adrian thanked the Commission members. A motion was made and seconded to adjourn (King/Perciak). Meeting adjourned 5:36pm.



Charter Review Commission Summaries

Contact Information

Name	Marcia Goldberg	Email	marcia.goldberg@lwvgreatercleveland.org
Organization	League of Women Voters of Greater Cleveland	Phone	216-272-1170
Title		Address	2800 Euclid Ave., Suite 518 Cleveland, OH 44115

Proposed Charter Amendment Summary

Title	Office of Inspector General
Summary	The charter should mandate the independent office of Inspector General
Intended effect and rationale of amendment. Include affected Charter sections.	<p>The charter should instead state that an Inspector General SHALL be appointed by the executive and confirmed by county council. The IG must be clearly designated in the charter as the chief ethics officer of the county. Independence should be guaranteed by means of the following:</p> <ol style="list-style-type: none"> 1. The IG's term of office should be staggered from that of the executive, and the IG should be removable only for cause by a super-majority of council members after a fair hearing process. 2. The IG should have charter-guaranteed, dedicated funding (e.g., a fee schedule for certain IG services or registries) and adequate investigatory tools (e.g., the power to compel evidence or witnesses--that is, subpoena power). Currently, the IG's chief ethics enforcement tools are letters of warning or admonition and the referring of cases, after toothless investigation, to other bodies for adjudication or sanction. <p>While county council has created by ordinance a strong county Agency of Inspector General, adding a mandate to the charter would embed the office in our governing document and make certain that the IG is not serving at the pleasure of the very officers the IG may one day need to investigate. Because the IG function is somewhat parallel to the Internal Auditing function, we expect the commission would want to place it as a separate Article in the charter just after Internal Auditing.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.

Contact Information

Name	Marcia Goldberg	Email	marcia.goldberg@lwwgreatercleveland.org
Organization	League of Women Voters of Greater Cleveland	Phone	216-272-1170
Title		Address	2800 Euclid Ave., Suite 518 Cleveland, OH 44115

Proposed Charter Amendment Summary

Title	Nonpartisan elections
Summary	Nonpartisan primaries with top-two general elections should replace partisan primaries
Intended effect and rationale of amendment. Include affected Charter sections.	<p>The League of Women Voters of Ohio has studied primary systems across the country at all levels of government. We concluded that nonpartisan primaries are more appropriate than partisan primaries at the county and local government levels, where administrative matters far outweigh rare ideological differences.</p> <p>In the years since this new government was formed, we have not seen many county governance issues that activate the partisan divide. Council members from both parties work hard to uphold efficiency and fiscal responsibility, and they support the health and human services needs of the county's sickest and poorest residents.</p> <p>But currently only the voters who belong to the stronger political party in the county (for the executive and county prosecuting attorney) or in their district (for council members) have a chance to make their votes count in the primary. General elections feature candidates who are unopposed or races that are not meaningfully contested. Nonpartisan primaries followed by top-two general elections would restore competitiveness and give all voters a voice in both rounds of voting.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.

Contact Information

Name	Dale Miller	Email	dalecta@gmail.com
Organization	Cuyahoga County Council	Phone	216-698-2011
Title	Councilperson	Address	2079 E. 9th Street, 8th FL, Cleveland, OH 44115

Proposed Charter Amendment Summary

Title	Inspector General Amendment
Summary	The amendment creates a new Article XV establishing the Inspector General as a charter agency and setting forth the qualifications for appointment, term, process for removal, and process for filling vacancies.
Intended effect and rationale of amendment. Include affected Charter sections.	<p>This amendment creates a new Article XV to establish the Inspector General as a charter agency and affects no other sections of the charter. It contains 5 provisions:</p> <ol style="list-style-type: none"> 1. Established the Inspector General as chief ethics officer of the County; states that Council will define powers and duties by ordinance. 2. Establishes qualifications—10 years' experience as CPA, internal auditor, licensed attorney, law enforcement officer, or other investigator. 3. Provides for 4-year term with next term starting January 1, 2020, with appointment by Executive, subject to confirmation by Council. 4. Provides for removal during term only by vote of 8 members of Council. 5. Provides that if a vacancy occurs in mid-term, the Executive shall appoint a replacement for the remainder of the term, subject to confirmation by Council; also provides that if the vacancy occurs with less than 2 years left in term, Executive may appoint for remainder of term and next term, subject to Council confirmation. <p>Amendment would help insure that the Inspector General's Office and commitment to ethics continues as corruption scandal recedes into the background. This version is the product of 3 years' work by Councilmembers and the previous Charter Review Commission. It provides a balance between earlier versions that contained more detail (subpoena powers; dedicated funding source) and later versions that created the office but specified almost no additional detail.</p> <p>Therefore, this version should provide an excellent starting place for discussion.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.

Contact Information

Name	Debbie Southerington	Email	DSoutherington@ceogc.org
Organization	Personnel Review Commission	Phone	216-696-9077
Title	Chairperson, Personnel Review Commission	Address	2429 Superior Viaduct, Cleveland, Ohio 44113

Proposed Charter Amendment Summary

Title	Proposed Amendments to Article IX
Summary	Proposing additional language to clarify the role of the PRC, to clarify the PRC's responsibility for administration of compliance with federal and state laws regarding personnel matters, and define the unclassified service and a process for establishing new unclassified positions.
Intended effect and rationale of amendment. Include affected Charter sections.	<p>The PRC is recommending additional language to:</p> <p>1)) clarify that an employment system based on merit and fitness means a system that includes civil service testing for classified positions; the rationale for this is to clarify what the terms ' merit and fitness' mean in Charter §9.01, and</p> <p>2) to clarify that the PRC's responsibility for administration of compliance with federal and state laws includes the authority to conduct compliance reviews of such laws and prepare reports and recommendations to the Administration and County Council regarding such reviews; the rationale is to specify what it means to have 'responsibility for administration of compliance' in Charter §9.02; and</p> <p>3) to define the County's classified and unclassified service and establish a process to create new unclassified positions; the rationale is to clarify the distinction between the classified and the unclassified service in Charter §9.03 and increase transparency of the County's process for creating new positions.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.

Contact Information

Name	Douglas Dykes	Email	dmdykes@cuyahogacounty.us
Organization	Human Resources	Phone	216.443.7116
Title	Chief Talent Officer	Address	2079 E. 9th Street, Cleveland Ohio 44115

Proposed Charter Amendment Summary

Title	Clearly define the PRC and Human Resources roles
Summary	Clearly define the PRC and Human Resources roles
Intended effect and rationale of amendment. Include affected Charter sections.	<p>Sections 9.01, 9.02, 9.03, 9.04, 9.06</p> <p>The intent of the amendment is to clearly define the roles of both the Personnel Review Commission (PRC) and Human Resources (HR), to comply with best practices and to ensure that our tax payers are receiving the highest level of service.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.

Contact Information

Name	Jay Goldblatt	Email	jj58gg@gmail.com
Organization		Phone	216 862 8789
Title		Address	13209 Wainfleet Avenue Cleveland OH 44135

Proposed Charter Amendment Summary

Title	Proposal to Stop Disenfranchising Voters in Cuyahoga County Elections
Summary	Provide for Open Primaries (with party affiliation on the ballot) for all Cuyahoga Offices with the top two advancing to a run off. This is NOT a proposal for non-partisan elections.
Intended effect and rational of amendment. Include affected Charter sections.	<p>The proposed amendment is designed to stop disenfranchising voters in elections for Cuyahoga County Executive, Cuyahoga County Prosecutor and Cuyahoga County Council. With the present system of partisan primaries, many important decisions are made by those few who vote in tone of he partisan primaries. This disenfranchises the majority of Cuyahoga County voters who are not registered to either major political party and are therefore not eligible to vote in the partisan primary. When combined with the number of voters who choose to not vote in primaries, or those who are registered to a political party that is not in the majority in that Cuyahoga District, or Countywide, most voters are effectively eliminated from possessing a vote in the primary, which often is the "final" vote as a practical matter.</p> <p>The proposal therefore is for all Cuyahoga County Government elections to follow a two-step process: an open primary in the spring (with party affiliation or "independent" noted on the ballot for each candidate), followed in all cases by a run off in the November general election between the top two vote getters, also noting party status on the ballot.</p> <p>This open primary system will preserve informing the voters of the party affiliation of each candidate in all elections which many believe is relevant to Cuyahoga voters. At the same time, all voters will be enfranchised to participate in these important decisions regardless of which party the voter is registered to, or, as with an increasing number of Cuyahoga voters, there is no formal party affiliation.</p> <p>Therefore, this is NOT a proposal for non-partisan elections for Cuyahoga office, although most municipalities in the county have chosen to use non-partisan elections. Despite this practice in most municipalities, some county officials believe party affiliation is relevant to Cuyahoga County voters. Party affiliation would continue to be shown on the ballots for the primary and the general election, while empowering all voters. The best of both worlds.</p>
Note	Original submission is on file with the Commission Clerk; text is presented for readability and consistency.



Proposed Charter Amendment Summary Form

Purpose

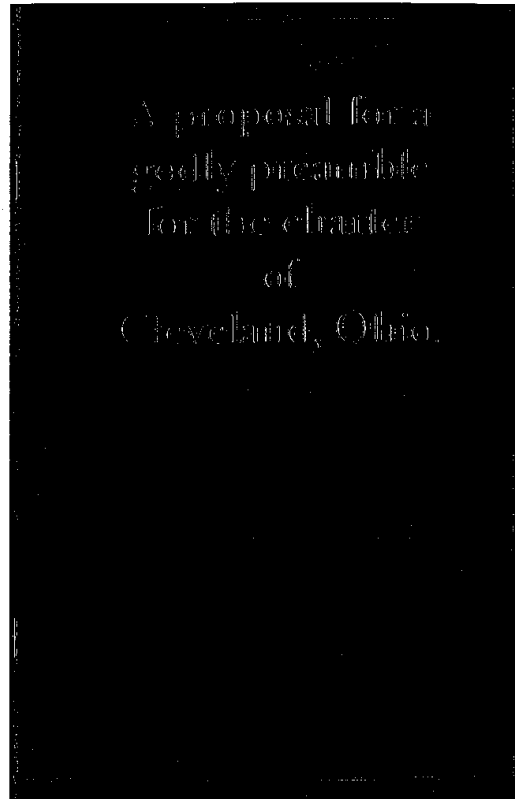
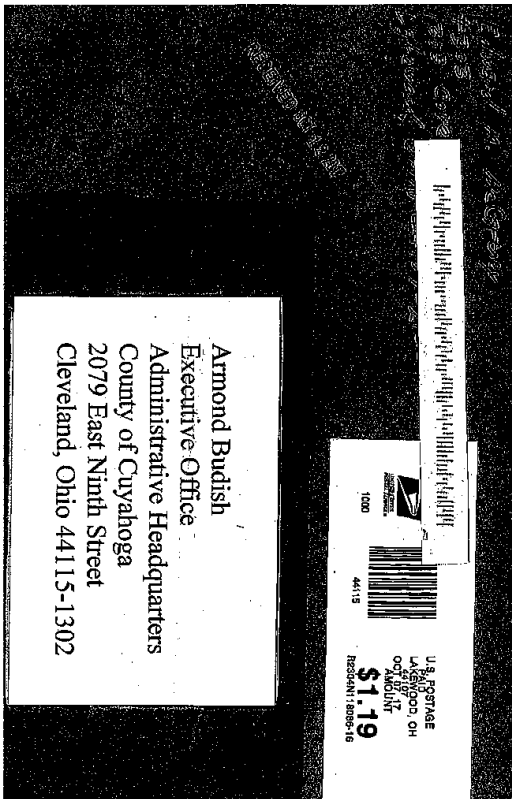
- This form is to summarize proposed amendments to the Cuyahoga County Charter. Summaries will be part of the public Commission docket.
- The point of contact will be invited to present to the Charter Review Commission at its regularly scheduled meetings on November 1st and December 6th, 2017.
- In early 2018, selected proposed amendments will be invited by the Commission to provide additional information more detailed rationale, and suggested language for Charter Amendments.
- In June 2018, the Charter Review Commission will transmit recommendations for County Council consideration, consistent with the [County Charter](#) and [Council Ordinance 02015-0002](#).
- Charter Review Commission meetings, materials and additional information is available [online](#).

Contact Information

Name	Erika Papp	Email	erikapapp44@gmail.com
Organization	Cuyahoga Co. Sheriff's Dep.	Phone	216-316-0417
Title	Corrections officer	Address	37498 Amber Way North Ridgeville, OH 44039

Proposed Charter Amendment Summary

Title	Appointed officials
Summary	Sheriff: Powers, Duties and Qualifications
Intended effect and rationale of amendment. Include affected Charter sections.	<p>All powers and duties now or hereafter vested or imposed upon county sheriffs by general law shall be carried out by the elected Sheriff. The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of County Sheriff and in addition shall have had at least five years experience in law enforcement or in correctional facility management.</p> <p>Since the amendment of the charter in the past, the legislative duties of the Sheriff has greatly diminished, and the ensuing problems are still endless. The actions of the past can not alter the fundamental powers and duties of the Sheriff, which is custodial control of the Sheriff department and the jail. Since the Sheriff's core responsibility is custodial control over these areas the Council should not have authority to direct how employees of the Sheriff's office are managed and resources in these areas utilized. If there are concerns over misconduct please impose two consecutive terms of four years (like the President) which limits the time one can be elected to office. Thank you</p>
Note	In early 2018, selected proposed amendments will be invited by the Commission to provide additional information, more detailed rationale, and suggested language for Charter Amendments. No need to provide that information in this summary document.



Preamble.

We, the citizens of the City of Cleveland, in the County of Cuyahoga, in the State of Ohio, in order to form a godly and truthful and righteous and moral city, exercise our God given constitutionally protected right and liberty to obey Almighty God, to whom we are thankful, advance the will of God, establish judgment and justice, insure tranquility, provide for the common safety, promote the general happiness and welfare, and secure the blessings of God to ourselves and our posterity, do frame and adopt this charter for the government of the city. We acknowledge that we and our words, such as constitutions or charters or laws or statutes or ordinances or resolutions or proclamations or contracts or otherwise, are under the God of Israel and the Father of our Lord Jesus Christ. We acknowledge that the holy scriptures (the scriptures) are the Authorized or King James Version of the Christian or Holy Bible, which is the old and new testaments. We acknowledge the superiority of the Creator (the Lord God omnipotent) and his law, and the rest of the scriptures. We acknowledge that we are subject unto the higher powers to the extent

that they are not contrary to God's will that is expressed in the scriptures. We acknowledge that we ought to walk in the ways of God Almighty by observing and doing his commandments; because God is worthy, and to avoid his curses. We hope that God's blessings come on us if we heed his word (the scriptures). Thus we desire to have the benefits of scriptural municipal home rule, and to exercise all the powers of local self-government. We desire to be righteously ruled by godly rulers that fear God, and that shall do justice and judgment, that evildoers be terrorised or punished, and doers of good be praised.

2017.07.28.1a.

Text. - Source.

We - Preamble to the Constitution of the United States of America, Joshua 24, Isaiah 2:2-3, II Kings 23:3, Jeremiah 3:25, and 7:21-23, and 34:15, Ezekiel 11:17-20, and Acts 5:29 of the Authorized Version or King James Version of the Holy Bible.

We, - Preamble to the charter of the County of Cuyahoga.

the citizens - A superscription on the outside of Cleveland Public Auditorium, and a memorial for John Huntington on the outside of the south entrance of the Cleveland Museum of Art.

of the - Preamble to the charter of Lakewood, Ohio.

City of Cleveland, - Section 1 of the charter of Cleveland, Ohio.

in the County of Cuyahoga, in the State of Ohio, - Preamble to the charter of Lakewood, Ohio.

in order to form a - Preamble to the Constitution of the United States of America.

godly and truthful and righteous and moral city, - Deuteronomy 4, Jeremiah 11:4, Psalm 33:12, Psalm 127:1, Isaiah 52:1, Hebrews 11:8-10, 16, 23, and

3

We acknowledge that we are subject unto the higher powers to the extent that they are not contrary to God's will that is expressed in the scriptures. - Matthew 28:18-20, Romans 13:1-9, Acts 5:29, Matthew 6:10, and Ephesians 5:17.

We acknowledge that we ought to walk in the ways of God Almighty by observing and doing his commandments; because God is worthy, and to avoid his curses. - Deuteronomy 10:12-13, Deuteronomy 28, Revelation 4:11.

God Almighty - Revelation 11:17, and 15:3, and 16:14.

We hope that God's blessings come on us if we heed his word (the scriptures). - Deuteronomy 28:1-2, Psalm 119, II Timothy 3:15-17, and Public Law 97-280.

Thus we desire to have the benefits of - Preamble to the charter of Lakewood, Ohio.

scriptural - Isaiah 8:20, Ezra 7:10, and the fundamental agreement or original constitution of the colony of New Haven of anno Domini 1639.

municipal home rule, and to exercise all the powers of local self-government. - Preamble to the charter of Lakewood, Ohio.

7

establish judgment and justice, - Preamble to the Constitution of the United States of America, and II Chronicles 9:8.

insure tranquility, - Preamble to the Constitution of the United States of America, Psalm 119:165, Isaiah 9:6-7, and 32:17-18, Jeremiah 29:7, and 33:6.

provide for the common safety, - Preamble to the Constitution of the United States of America, the Declaration of Independence, Psalm 17, and Psalm 127:1.

promote the general happiness and welfare, - Preamble to the Constitution of the United States of America, the Declaration of Independence, Deuteronomy 33:29, Psalm 144:15, and Deuteronomy 4:40.

and secure the blessings of God to ourselves and our posterity, - Preamble to the Constitution of the United States of America, and Deuteronomy 28, and Psalm 33:12.

do frame and adopt this charter for the government of the city. - Preamble to the charter of Lakewood, Ohio, and II Kings 23:3.

We acknowledge that we and our words, such as constitutions or charters or laws or statutes or ordinances or resolutions or proclamations or

5

We desire to be righteously ruled by godly rulers that fear God, and that shall do justice and judgment, that evildoers be terrorised or punished, and doers of good be praised. - Proverbs 14:34, II Samuel 23:3-4, Proverbs 29:25, Deuteronomy 10:20, Ecclesiastes 12:13-14, Revelation 14:7, Genesis 18:19, Ezekiel 20:38, Romans 13:1-10, Psalm 37:9, Philippians 4:8-9, James 1:22, and I Peter 2:13-17.

2017.07.28.2a.

2017.07.28.4a.

8