

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2012-0018

Sponsored by: Council President Connally

A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Public Defender Commission, and declaring the necessity that this Motion become immediately effective.

WHEREAS, the Cuyahoga County Public Defender Commission was created pursuant to the provisions of ORC Section 120.13; and,

WHEREAS, the powers and duties of the Cuyahoga County Public Defender Commission are established pursuant to ORC Section 120.14, which include: recommending an annual operating budget of the office of the County Public Defender, establishing operational standards of the office of the County Public Defender, and determining the qualification and size of the supporting staff of the office in an effort to provide essential legal representation to indigent persons in the County; and,

WHEREAS, pursuant to ORC Section 120.13, the Cuyahoga County Public Defender Commission shall have five members with a term of office of four years; and,

WHEREAS, County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, the County Executive has nominated Phyllis L. Crocker and Gordon Friedman to serve on the Cuyahoga County Public Defender Commission; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

SECTION 1. The Council of Cuyahoga County, Ohio, hereby confirms the appointment of Phyllis L. Crocker and Gordon Friedman to serve on the Cuyahoga County Public Defender Commission, commencing immediately.

SECTION 2. It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Motion were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Rogers, seconded by Ms. Conwell, the foregoing Motion was duly approved.

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

Nays: None

County Council President Date

Clerk of Council Date

First Reading/Referred to Committee: May 8, 2012

Committee(s) Assigned: Human Resources, Appointments & Equity

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