

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0022

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive's appointment of various individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective.

WHEREAS, on December 11, 2012, Cuyahoga County Council enacted Ordinance No. O2012-0026 which established the Cuyahoga County Debarment Law and Procedures and Review Board; and,

WHEREAS, the Cuyahoga County Debarment Board is set forth and codified in Cuyahoga County Code Section 205.06; and,

WHEREAS, the Cuyahoga County Debarment Law referencing the Cuyahoga County Debarment Review Board is now codified in Chapter 505 of the Cuyahoga County Code; and,

WHEREAS, the Cuyahoga County Debarment Review Board reviews decisions rendered by the Cuyahoga County Inspector General concerning contractors who seek to perform work on behalf of Cuyahoga County; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, the Cuyahoga County Debarment Review Board consists of five (5) members: the Cuyahoga County Fiscal Officer, a member of the Cuyahoga County Council, and three residents of Cuyahoga County appointed by the County Executive and confirmed by the Cuyahoga County Council; and,

WHEREAS, members of the Cuyahoga County Debarment Review Board who are appointed by the County Executive and confirmed by the Cuyahoga County Council shall be appointed to serve a five (5) year staggered term; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, "of the terms for the initial appointees, one shall be appointed for a term of five years commencing on February 1, 2013, and expiring on January 31, 2018, one shall be appointed for a term of four years commencing on February 1, 2013, and expiring on January 31, 2017, and one shall be appointed for a term of three years commencing on February 1, 2013, and expiring on January 31, 2016"; and,

WHEREAS, the Cuyahoga 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 the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- c) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016; 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 hereby confirms the appointment of the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- d) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016.

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

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

Nays: None

County Council President _____
Date

Clerk of Council _____
Date

First Reading/Referred to Committee: July 23, 2013
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC011
August 13, 2013