

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0027

Sponsored by: County Executive FitzGerald	An Ordinance amending Ordinance No. O2011-0010 to establish divisions and sections within the Department of Public Works.
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WHEREAS, Section 3.09(2) of the Charter grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, Section 5.05 of the Charter states, in pertinent part, that “[a]ll powers now or hereafter vested in or imposed upon county engineers and county sanitary engineers by general law shall be exercised and carried out by or at the direction of the Director of Public Works. The Director of Public Works shall also have such powers and duties as shall be established by ordinance that are not inconsistent with those provided by general law;” and,

WHEREAS, Cuyahoga County Ordinance No. O2011-0010 created the Department of Public Works as contemplated by Section 5.05 of the Charter; and,

WHEREAS, the Council of Cuyahoga County determined that establishment of sections and divisions within the Department of Public Works is necessary for the efficient administration of the County;

WHEREAS, it is necessary to amend Ordinance No. O2011-0010 to create divisions and sections within the Department of Public Works.

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

SECTION 1. Ordinance No. O2011-0010 establishing the Department of Public Works shall be amended as follows (language additions are shaded and boldfaced, deleted language is stricken out):

SECTION 1. The Department of Public Works is hereby established under the supervision of the County Executive and the Director of Public Works who, pursuant to Article V of the Charter, shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive.

SECTION 2. The duties and functions of the former Department of Central Services shall be incorporated into the Department of Public Works unless

otherwise provided for in a future ordinance. ~~Pursuant to Section 3.09(2) of the Charter, Council shall establish, with input provided by the County Executive and the Director of Public Works, such divisions and sections within the Department of Public Works as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this ordinance.~~ **The Department of Public Works shall contain the following divisions and sections: (a) Finance and Planning Division, containing a Finance and a Planning Section, (b) Maintenance Division, (c) County Engineer Division, containing a Design Section and a Construction Section, and (d) Animal Shelter Division.**

SECTION 3. With the consent of the County Executive, the Director of Public Works is authorized to employ persons in the service of the Department within established budgetary parameters and in compliance with the Human Resources policies and procedures of the County.

Nothing in this ordinance is intended to limit the ability of the County Executive and the Director of Department of Public Works to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law.

SECTION 2. 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 Ms. Simon, seconded by Mr. Jones, the foregoing Ordinance was duly enacted.

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

Nays: None

County Council Vice-President Date

County Executive Date

Clerk of Council

Date

First Reading/Referred to Committee: May 24, 2011

Committee(s) Assigned: Public Works, Procurement & Contracting

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July 12, 2011