

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0001

Sponsored by: County Executive FitzGerald/Departments of Law and Public Works	An Ordinance amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County Council established the Department of Law in Ordinance No. O2011-0016, as amended in Ordinance No. O2011-0029; and,

WHEREAS, the County had previously placed the operations of risk management in its then Department of Central Services; and,

WHEREAS, Central Services was placed in the Department of Public Works under the County's new organizational structure; and,

WHEREAS, County Council has determined that the Law Department should administer the County's risk management; and,

WHEREAS, County Council has determined that the best course to achieve this goal is to establish a new Risk Management division in the Department of Law; and,

WHEREAS, the Department of Law, including the newly established Risk Management Division, regularly handles sensitive, often confidential information, including materials and information that are subject to the attorney-client privilege; and,

WHEREAS, County Council has determined that all employees in the Law Department, including the Risk Management Division, hold fiduciary relationships and must therefore be at-will, unclassified employees; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department.

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

SECTION 1. Section 1(g) of Ordinance No. O2011-0016, as amended, establishing the Department of Law shall be amended as follows (deletions are stricken out; additions are bolded):

- (g) ~~The Cuyahoga County Department of Law shall be composed of the Director of Law, a Deputy Chief Director of Law, Assistant Law Directors, and, as deemed necessary by the Director of Law, such other assistants and other staff, including paralegals and executive and administrative assistants to serve the Director, Deputy Director, and the Assistant Law Directors.~~ **The Department of Law shall contain the following divisions: (1) General Division and (2) Risk Management Division. The General Division shall contain the following sections: (a) Labor and Employment; (b) Open Meetings and Public Records; (c) Budget and Finance; (d) Legislation; (e) Contracting, Procurement and Real Estate; (f) Environmental; and (g) Charter and Constitutional Law. The specific goals, duties and activities of the Department's divisions and sections shall be further determined by the Director of Law. Since all employees in the Law Department hold fiduciary relationships and regularly interact with sensitive and confidential information and materials, including materials and documents protected by the attorney-client privilege, all employees in every division and section in the Law Department are and shall remain at-will, unclassified employees. Nothing herein is intended to limit the ability of the County Executive and the Director of Law to abolish positions for the purpose of enhancing the efficiency of operations or any other reason permitted by law.**

SECTION 2. It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Ordinance, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

SECTION 3. Open Meetings. 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. Germana, seconded by Mr. Schron, the foregoing Ordinance was duly enacted.

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

Nays: None

County Council Vice-President _____
Date

County Executive _____
Date

Deputy Clerk of Council _____
Date

First Reading/Referred to Committee: January 10, 2012
Committee(s) Assigned: Human Resources, Appointments & Equity and Justice Affairs

Substituted on the Floor: January 24, 2012

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