

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0021

Sponsored by: <b>County Executive FitzGerald and Councilmember Rogers</b>	<b>An Ordinance</b> reorganizing the Board of the Cuyahoga County Solid Waste Management District to enable its members to attend through alternates; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 6.03 of the Cuyahoga County Charter provides that any “board or commission of the County and any joint board or commission in which the County is a participant that is in existence when this Charter becomes effective, but not provided for in this Charter, shall continue to exist until reorganized or discontinued by action of Council, unless its continuance is required by general law”; and,

WHEREAS, Section 3.09(2) of the Cuyahoga County Charter also provides for the power of the Cuyahoga County Council “to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County”; and,

WHEREAS, the Board of the Cuyahoga County Solid Waste District consists of the County Executive, a member of Council, and the Public Works Director; and,

WHEREAS, it is necessary to reorganize the Board of the Solid Waste District to enable its members to attend meetings through designees; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County agency.

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

**SECTION 1.** The Board of the Cuyahoga County Solid Waste Management District shall be composed of the County Executive, a member of Council appointed by the President of Council, and the Director of Public Works.

**SECTION 2.** Each member of the Board of the Solid Waste Management District shall have an alternate who may attend board meetings and act in place of the board member as follows:

- (a) The County Executive shall ~~have~~ **designate** an alternate from the Office of the County Executive to act in his or her place on the Board of the Solid Waste Management District and attend board meetings, with full voting rights, if the Executive is unavailable;
- (b) The Director of Public Works shall ~~have~~ **designate** an alternate from the Department of Public Works to act in his or her place on the Board of the Solid Waste Management District and attend board meetings, with full voting rights, if the Director is unavailable; and
- (c) The President of Council shall appoint two members of Council to serve as a pool of alternates to act in place of the Council board member on the Board of the Solid Waste Management District and attend board meetings, with full voting rights, if the member is unavailable.

**SECTION 3.** The Board of the Solid Waste Management District shall continue to govern the operations of the District, including, but not limited to, having the final approval authority over its contracts.

**SECTION 4.** It is necessary that this Ordinance become immediately effective in order to that critical services provided by Cuyahoga County can continue. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

**SECTION 5.** 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. Schron, seconded by Mr. Rogers, the foregoing Ordinance was duly enacted.

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

Nays: None

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County Council President	Date
_____	_____
County Executive	Date

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Deputy Clerk of Council

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Date

First Reading/Referred to Committee: July 24, 2012  
Committee(s) Assigned: Environment & Sustainability

Journal CC007  
August 14, 2012