

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0027

Sponsored by: County Executive FitzGerald/Department of Public Safety and Justice Services/Division of Emergency Management	An Ordinance authorizing the renaming of the Cuyahoga County Urban Area Working Group (UAWG) to the Cuyahoga County Emergency Services Advisory Board (CCESAB); authorizing said Board to establish and amend its bylaws to comply with mandates of the Ohio Revised Code and to update membership of the Board; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VI, 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, Article III, Section 3.09(2) of the Cuyahoga County Charter vests the Cuyahoga County Council with the power “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 Cuyahoga County Urban Area Working Group (UAWG) was established by the Cuyahoga County Board of Commissioners, pursuant to Section 5502.26 of the Ohio Revised Code, establishing a countywide emergency management agency; and,

WHEREAS, duties of the UAWG are to advise the County on all matters pertaining to Homeland Security, emergency preparedness, and public safety matters specific to the enhancement of prevention, protection, response, and recovery capabilities for Cuyahoga County; and,

WHEREAS, other duties of the UAWG are to advise the County on the use of funds related to Homeland Security grants, as well as to advise both the County and the City of Cleveland when the funds are issued through the Urban Area Security Initiative (UASI) grant; and,

WHEREAS, the UAWG is an independent advisory board with the ability and authority to establish and amend its by-laws that are consistent with its stated mission and purpose, ORC 5502.26, and not inconsistent with general law; and,

WHEREAS, the UAWG is a public body subject to the Ohio Open Meetings Law consistent with ORC 121.22; and,

WHEREAS, in 2011, the Department of Public Safety and Justice Services released a Reorganization Plan for the Office of Emergency Management that included a return to the use of its former name of the Cuyahoga County Emergency Services Advisory Board. This change was recommended in an effort to refocus the Board's role on critical planning efforts, in addition to its funding-driven recommendations; and,

WHEREAS, in order to fulfill the elements of the Reorganization Plan, the Department of Public Safety and Justice Services, in conjunction with the Urban Area Working Group (UAWG), has taken steps to amend and update the bylaws to include the change of name to the Cuyahoga County Emergency Services Advisory Board (CCESAB), to incorporate updates in the law, as well as compliance with the new County Charter, and to update the membership of the Board to achieve compliance with the Ohio Revised Code; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by this Cuyahoga County advisory board can continue without interruption or delay.

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

SECTION 1. This Council hereby authorizes the bylaws be amended, to include the name of the entity be changed to the Cuyahoga County Emergency Services Advisory Board (CCESAB) and update the membership of the Board pursuant to the mandates of Ohio Revised Code 5502.26.

SECTION 2. The Cuyahoga County Emergency Services Advisory Board (CCESAB) shall be an independent advisory board with the ability and authority to establish and amend its bylaws that are consistent with its stated mission and purpose, ORC 5502.26, and not inconsistent with general law. Any amendment to the bylaws that alter the membership of the board shall require the approval of the County Executive.

SECTION 3. The Cuyahoga County Emergency Services Advisory Board (CCESAB) is acknowledged to be a public body subject to the open meetings laws as set forth in Ohio Revised Code 121.22.

SECTION 4. It is necessary that this Ordinance become immediately effective in order to continue the critical services provided by this Advisory Board without interruption or delay. 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. Miller, seconded by Mr. Gallagher, the foregoing Ordinance was duly enacted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: September 11, 2012

Committee(s) Assigned: Public Safety

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September 25, 2012