

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2015-0018

<p>Sponsored by: <b>County Executive Budish/Departments of Regional Collaboration and Public Works and Councilmember Greenspan</b></p> <p>Co-sponsored by: <b>Councilmembers Miller, Germana, Conwell, Simon, Hairston and Gallagher</b></p>	<p><b>An Ordinance</b> enacting Section 806.03 of the Cuyahoga County Code to establish the Cuyahoga County Public Works Shared Services Program as part of shared services provided to political subdivisions by the Department of Public Works, and declaring the necessity that this Ordinance become immediately effective.</p>
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WHEREAS, Cuyahoga County Charter Section 3.09, Subsection 8 provides that the powers of the County Council include the ability to adopt legislation “to cooperate or join by contract with any municipality, county, state or political subdivision or agency thereof, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for providing a common service, and to provide the terms upon which the County shall perform any of the services and functions of any other county or any municipality or other political subdivision;” and

WHEREAS, pursuant to Ohio Revised Code Section 9.482, the County may enter into agreements with a political subdivision to perform any function, or render any service, on behalf of the contracting subdivision or its legislative authority; and

WHEREAS, pursuant to Ohio Revised Code Section 117.48, the Ohio Auditor of State established a shared equipment service agreement program in which state agencies and political subdivisions may voluntarily participate to lend their capital equipment to other state agencies or political subdivisions for temporary use for the performance of a governmental function or proprietary function; and

WHEREAS, the County Executive desires to establish the Cuyahoga County Public Works Shared Services Program for political subdivisions to share public works equipment, resources and personnel for regular and emergency uses; and

WHEREAS, the County desires to share such equipment, resources and personnel with political subdivisions pursuant to a shared services agreement and primarily through ShareOhio.gov, a free web platform operated by the Ohio Auditor of State’s Office; and

WHEREAS, the Cuyahoga County Public Works Shared Services Program is part of the economic development and regional collaboration efforts overseen by the

County's Department of Regional Collaboration and administered by the Department of Public Works; and

WHEREAS, the County recognizes the need for increased efficiency in local government and is actively pursuing means to reduce financial strain on the County citizens; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can commence and continue on behalf of the various political subdivisions in the State of Ohio.

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

**SECTION 1.** Section 806.03 of the Cuyahoga County Code is hereby enacted as follows:

**Section 806.03: Cuyahoga County Public Works Shared Services Program**

- A. There is hereby created a Cuyahoga County Public Works Shared Services Program for the purpose of sharing public works equipment, resources and personnel with political subdivisions for regular and emergency use. The Department of Public Works shall administer the program.
- B. Participating political subdivisions shall reimburse the County for all the equipment, resources and personnel provided under the Cuyahoga County Shared Services Program.
- C. All contracts and agreements under the Cuyahoga County Public Works Shared Services Program shall be reviewed and approved by the appropriate approval authority depending on the monetary threshold of each such contract or agreement in accordance with Chapter 501 of the Cuyahoga County Code.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** 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. Hairston, the foregoing Ordinance was duly enacted.

Yeas: Germana, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Greenspan, Miller and Brady

Nays: None

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County Council President                          Date

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County Executive    Date

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Clerk of Council    Date

First Reading/Referred to Committee: December 8, 2015

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

Additional Sponsorship Requested on the Floor: December 8, 2015

Additional Sponsorship Requested: August 3, 2016

Additional Sponsorship Requested on the Floor: August 9, 2016

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August 9, 2016