

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0003

Sponsored by: County Executive FitzGerald on behalf of Public Defender	A Resolution approving a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$1,804,656.00 for legal services for indigent persons for the period 1/1/2011 - 12/31/2011; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive on behalf of the Public Defender recommends approval of a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$1,804.656.00 for legal services for indigent persons for the period 1/1/2011 – 12/31/2011; and,

WHEREAS, the City of Cleveland, through the Cleveland Municipal Court, is obligated to provide appointed counsel to indigent defendants in the Cleveland Municipal Court when such defendants are charged with violations of the City’s Ordinances, which violations may result in incarceration; and,

WHEREAS, pursuant to ORC 120.14, a county public defender commission may contract with any municipal corporation with the County served by the county public defender to provide such legal representation on behalf of the municipal corporation; and,

WHEREAS, the Cuyahoga County Public Defender Commission has agreed to provide legal services necessary to defend indigents charged with violation of City Ordinances; and,

WHEREAS, the term of the proposed agreement is for the period 1/1/2011 – 12/31/2011 with an option to renew for an additional one-year term commencing January 1, 2012; and,

WHEREAS, it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The County Council hereby approves the revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$1,804.656.00 for legal services for indigent persons for the period 1/1/2011 – 12/31/2011; and authorizes the County Executive to execute all documents consistent with this Resolution.

SECTION 2. It is necessary that this Resolution 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 Resolution, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately upon the signature of the County Executive; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

_____ Date
County Council President

_____ Date
County Executive

_____ Date
Clerk of Council

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January 10, 2012