

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0163

<p>Sponsored by: Councilmember Greenspan</p> <p>Co-sponsored by: Councilmembers Miller and Germana</p>	<p>A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment enacting Article of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to insure the continuation of the Inspector General’s Office by establishing the Agency of the Inspector General in the Charter.

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

SECTION 1. Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 4th day of November, 2014, the question of enacting Article of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION .01 AGENCY OF INSPECTOR GENERAL.

(1) Powers and Duties. The Inspector General shall serve as the County’s chief ethics officer and shall direct the Agency of Inspector General. The County Council shall establish, by ordinance, the powers and duties of the Agency of Inspector General and shall appropriate funding for the Agency’s operation.

(2) Qualifications. The Inspector General shall have a cumulative total of at least five years of experience as an inspector general, certified public accountant, internal auditor, licensed attorney, law enforcement officer, or as manager or supervisor in an investigative office.

(3) Appointment and Term. The Inspector General shall be appointed by the County Executive, subject to confirmation by Council, for a term of four years. The term of the incumbent Inspector General shall expire on December 31, 2015. Each subsequent Inspector General shall be appointed or reappointed for a term commencing on January 1, 2016 and every four years thereafter. Reappointments shall be subject to Council confirmation.

(4) Removal. The Inspector General may only be removed from office by resolution receiving the affirmative vote of at least six members of the Council.

(5) Vacancy. In the event of a vacancy prior to the expiration of the Inspector General's term, the County Executive shall appoint a successor to complete the unexpired term subject to confirmation by Council. In the event a vacancy occurs less than two years prior to the expiration of the Inspector General's four-year term, the County Executive may appoint an Inspector General to complete the unexpired term and serve a subsequent four-year term subject to confirmation by Council.

SECTION 2. Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment enacting Article shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

PROPOSED AMENDMENT TO COUNTY CHARTER

Shall Article , Section .01 Agency of Inspector General of the Charter of the County of Cuyahoga be added to establish the Agency of Inspector General in the Charter?

SECTION 3. The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 4, 2014 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

SECTION 4. It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 4, 2014 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

SECTION 5. 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 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. Greenspan, seconded by Mr. Miller, the foregoing Resolution was not adopted.

Yeas: Brady, Germana, Schron, Simon, Greenspan and Miller

Nays: Gallagher, Conwell, Jones, Hairston and Connally

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: June 24, 2014

Committee(s) Assigned: Committee of the Whole

Additional Sponsorship Requested: July 7, 2014

Committee Report/Second Reading: July 22, 2014

Legislation Substituted on the Floor: August 12, 2014

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