

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0075

Sponsored by: Councilmember Brown	A Resolution extending Council’s review period of the proposed Administrative Rules submitted by the Personnel Review Commission through 6/30/2017, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 113.02(I), Adoption of Rules, of the Cuyahoga County Code states that: “Notwithstanding any other provision of this Code, in lieu of submitting its rules to the Administrative Rules Board, the Administrative Rules of the Personnel Review Commission shall be submitted to the Council to ensure that a proposed rule is in accordance with the human resources policies established by this Code, as required by Charter § 9.02(4). The specific language of a proposed rule shall clearly identify any new rule and/or any modification, addition, or deletion of an existing rule, and shall be submitted to the Clerk of Council. Unless extended by a formal resolution of Council, the Council shall have not more than sixty (60) days following the submission of the proposed rule(s) to determine whether the proposed rule(s) is/are in accordance with the human resources policies established by this Code. A proposed rule shall not take effect prior to the expiration of the 60-day review period established by this section unless Council approves the rule(s) prior to the expiration of that review period. If Council determines that a proposed rule is in accordance with the human resources policies established in this Code, the Personnel Review Commission shall submit the proposed rule to the clerk of the Administrative Rules Board for codification in the Administrative Code. If Council determines that a proposed rule or any provision of a proposed rule is not in accordance with the human resources policies established by this Code, Council may declare such proposed rule or provision inapplicable to county employees or appointing authorities. Any proposed rule or provision declared inapplicable shall not be codified in the Administrative Code.”

WHEREAS, The Personnel Review Commission submitted its proposed Administrative Rules to the Clerk of Council on February 27, 2017; and,

WHEREAS, Cuyahoga County Council Resolution No. R2017-0045 was introduced on March 14, 2017 for Council’s consideration to review and approve the Administrative Rules of the Personnel Review Commission.

WHEREAS, Council has determined that additional time is required to review the Personnel Review Commission’s proposed Administrative Rules; and

WHEREAS, it is necessary that this Resolution become immediately effective to insure the efficient operation of the Personnel Review Commission.

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

SECTION 1. Cuyahoga County Council hereby extends the review period of the proposed Administrative Rules submitted by the Personnel Review Commission on February 27, 2017 through June 30, 2017.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution 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 any 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 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 Ms. Brown, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Simon, Baker and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

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