

County Council of Cuyahoga County, Ohio

Resolution No. R2019-0251

Sponsored by: County Executive Budish	A Resolution confirming the extension of the County Executive's appointment of Interim Cuyahoga County Sheriff David G. Schilling, Jr. for the term ending 12/31/2020, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Article V, Section 5.01 of the Charter of Cuyahoga County, each of the offices provided for in Article V shall be appointed by the County Executive, subject to confirmation by Council; and

WHEREAS, on the day of the November 5, 2019 General Election, Article V, Section 5.08 of the Charter provided for the office of the Sheriff of Cuyahoga County; and

WHEREAS, pursuant to Article II, Section 2.03(2) of the Charter of Cuyahoga County, the County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of the Charter without confirmation by the Council for a period not to exceed 120 days.

WHEREAS, pursuant to Article II, Section 2.02(2) of the Charter of Cuyahoga County, an interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment; and

WHEREAS, the County Executive nominated David G. Schilling, Jr. to the position of Interim Sheriff of Cuyahoga County on August 9, 2019; and

WHEREAS, the initial term of Interim Cuyahoga County Sheriff David G. Schilling, Jr. is set to expire on December 6, 2019; and

WHEREAS, in his capacity as Interim Cuyahoga County Sheriff David G. Schilling, Jr. is the incumbent Sheriff, pursuant to Cuyahoga County Charter Article XVI ("Article"), as of the effective date of said Article and shall serve for the term ending 12/31/2020; and

WHEREAS, the County Executive seeks to extend the appointment of Interim Cuyahoga County Sheriff David G. Schilling, Jr. for the term ending 12/31/2020; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of County government.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the extension of the appointment of David G. Schilling, Jr. to serve as the Interim Sheriff of Cuyahoga County for the term ending 12/31/2020 and in such capacity David G. Schilling, Jr. is the incumbent Sheriff pursuant to Cuyahoga County Charter Article XVI.

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 eight members of Council, this Resolution shall become immediately effective.

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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. Gallagher, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 12, 2019

Committee(s) Assigned: Public Safety & Justice Affairs

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November 26, 2019