

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0102

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| Sponsored by: County Executive Budish | A Resolution confirming the County Executive’s appointment of Fernando Mack to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2021 – 12/31/2024 and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, the Cuyahoga County Public Defender Commission was created pursuant to the provisions of ORC Section 120.13; and

WHEREAS, the powers and duties of the Cuyahoga County Public Defender Commission are established pursuant to ORC Section 120.14, which include: recommending an annual operating budget of the office of the County Public Defender, establishing operational standards of the office of the County Public Defender, and determining the qualifications and size of the supporting staff of the office in an effort to provide essential legal representation to indigent persons in the County; and

WHEREAS, pursuant to ORC Section 120.13, the Cuyahoga County Public Defender Commission shall have five members with a term of office of four years; and

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners such appointment shall be made by the County Executive, subject to confirmation by the Council,” and

WHEREAS, County Executive Armond Budish has nominated Fernando Mack (replacing James R. Wooley) to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2021 – 12/31/2024; and

WHEREAS, this Council by a vote of at least eight (8) members determines that 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 a County Board.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive’s appointment of Fernando Mack (replacing James R. Wooley) to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2021 – 12/31/2024.

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, 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 Ms. Brown, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 13, 2021

Committee(s) Assigned: Human Resources, Appointments & Equity

Legislation Substituted on the Floor: April 27, 2021

Journal CC042
April 27, 2021

[Clerk’s Note: Electronic signatures affixed in accordance with Cuyahoga County Code Chapter 110]