

1 RESOLUTION NO. 2019-231

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE June 17, 2019 COMMITTEE Committee of the Whole

6  
7 **A Resolution submitting to the electors of the County of Summit at the November 5, 2019**  
8 **general election a proposed charter amendment, as recommended by the 2018-2019**  
9 **Charter Review Commission, to amend Article VI, Sections 6.02 and 6.05 to create an**  
10 **Equal Employment Opportunity Administrator under the authority of the Human**  
11 **Resource Commission, for the Charter Review Commission, and declaring an emergency.**

12  
13 WHEREAS, Section 3, Article X of the Ohio Constitution provides that “[t]he people of  
14 any county may frame and adopt . . . a charter . . .;” and

15  
16 WHEREAS, the voters of the County of Summit approved the adoption of the County  
17 Charter on November 6, 1979; and

18  
19 WHEREAS, Article V, Section 5.06 of the County Charter provides that “[p]roposed  
20 amendments to [the] Charter shall be submitted to the electors of the County by a vote of at least  
21 two-thirds of the members of the County Council...” and

22  
23 WHEREAS, Article V, Section 5.03 of the Charter provides for a nine member Charter  
24 Review Commission to meet in September 2003 and every five years thereafter to review the  
25 Charter and make recommendations concerning the amendment of the Charter; and

26  
27 WHEREAS, this Council previously adopted Motion 032-2018, which confirmed the  
28 appointments of Mr. James Armstrong, Ms. Helen J. Humphrys, Mr. Cazzell Smith, Sr., Ms.  
29 Laura Wallerstein, Ms. Lisa Miller, Mr. Omar Banks, Ms. Sylvia Trundle, Mr. Charley Sollie  
30 and Mr. Jeff Snell to the 2018-2019 Charter Review Commission; and

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32 WHEREAS, this Council subsequently adopted Motion 004-2019, which confirmed the  
33 appointment of Ms. Katherine Procop to replace Mr. Charles Sollie on the 2018-2019 Charter  
34 Review Commission; and

35  
36 WHEREAS, the Commission met from October 19, 2018, through May 21, 2019, and  
37 produced a Final Report recommending two amendments to the Charter, including the  
38 amendment that is proposed by this Resolution; and

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40 WHEREAS, in its Final Report, submitted to this Council on June 3, 2019, the Charter  
41 Review Commission recommends the amendment of the Charter to create an Equal Employment  
42 Opportunity Administrator under the authority of the Human Resource Commission; and

43  
44 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
45 that it is necessary and in the best interest of the County of Summit to adopt the Commission’s  
46 recommendation and that the citizens of the County should be permitted to decide at the  
47 November 5, 2019 general election whether to amend the Charter to create an Equal  
48 Employment Opportunity Administrator under the authority of the Human Resource  
49 Commission;

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4 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
5 of Ohio, two-thirds of all the members elected thereto concurring, that:

6

7 SECTION 1

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9 The following question as to whether the Charter of the County of Summit shall be  
10 amended, as set forth herein, shall be submitted to the electors of the County of Summit at the  
11 general election to be held November 5, 2019.

12

13 SECTION 2

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15 The ballot form for this question shall be as follows:

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18

19

20 PROPOSED AMENDMENT TO COUNTY CHARTER

21

22 A majority affirmative vote is necessary for passage.

23

24

(Vote ballot with "X")

25

26 Shall the Charter of the County of Summit be amended to create an Equal Employment  
27 Opportunity Administrator under the authority of the Human Resource Commission?

28

29

FOR THE AMENDMENT \_\_\_\_\_

30

31

AGAINST THE AMENDMENT \_\_\_\_\_

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36 SECTION 3

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38 If approved by the electors of the County of Summit, Article VI, Section 6.02 of the  
39 Charter, entitled "Department of Human Resources," and Article VI, Section 6.05 of the Charter,  
40 entitled "Authority of Human Resource Commission," are hereby amended as follows:

41

42 **"SECTION 6.02 DEPARTMENT OF HUMAN RESOURCES.**

43

44 There shall be a Department of Human Resources, which shall serve under the direction  
45 of the County Executive, and which shall perform such functions on behalf of; the Human  
Resource Commission as the Commission shall prescribe.

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**SECTION 6.05 AUTHORITY OF HUMAN RESOURCE COMMISSION.**

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51 The Human Resource Commission has the authority to employ a staff consistent with the  
operating budget appropriated annually by County Council and further has:

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4 SECTION 3 (Cont.)

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6 (1) Responsibility for the resolution or disposition of all personnel matters, with  
7 authority to appoint hearing officers to hear all employee appeals previously  
8 under the jurisdiction of the State Personnel Board of Review;

9 (2) Responsibility for administration of county-wide compliance with federal and  
10 state laws regarding personnel matters for which the County is the reporting unit and for  
11 administration of other personnel matters for which the County is responsible, and for  
12 maintenance of records required by such laws. For purposes of ensuring consistent compliance  
13 with state and Federal Equal Employment Opportunity laws and regulations, the Commission  
14 shall employ an Equal Opportunity Compliance Administrator as part of the staff of the  
15 Commission;

16 (3) Authority to ensure:  
17 pay equity for like positions;  
18 standardization of benefits;  
19 approval of qualifications;  
20 consistent discipline;  
21 training of management in personnel practices;  
22 training of employees in job functions;  
23 training for total quality management;  
24 consistent administration of performance management system;  
25 coordination of recruitment;  
26 compliance to ethics resolutions or ordinances as passed by County Council; and

27 (4) Such other functions as may be necessary to carry out its mission and purpose.

28  
29 Unless otherwise specified above, the responsibilities and authorities set forth in this  
30 Subsection 6.05 may be performed by the Department of Human Resources and the staff of the  
31 Department of Human Resources, as the Human Resource Commission shall prescribe, pursuant  
32 to Subsection 6.02 above.”

33  
34 SECTION 4

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36 The Clerk of Council shall certify the question set forth herein to the Board of Elections  
37 of the County of Summit no later than the ninetieth day prior to the General Election of  
38 November 5, 2019.

39  
40 SECTION 5

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42 Notice of the proposed amendment set forth herein shall be given by the Clerk of Council  
43 by publishing the full text of the proposed amendment once a week for at least two (2)  
44 consecutive weeks in a newspaper published in the County as set forth in Section 307.70 of the  
45 Ohio Revised Code.  
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1 RESOLUTION NO. 2019-231

2 PAGE FOUR

3  
4 SECTION 6

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the residents of the County of Summit, and for the further purpose of ensure that this  
8 Resolution takes effect before the Board of Elections' deadline for submitting the proposed  
9 Charter Amendment.

10  
11 SECTION 7

12  
13 Provided that this Resolution receives the affirmative vote of eight (8) members, it shall  
14 take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16  
17 SECTION 8

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

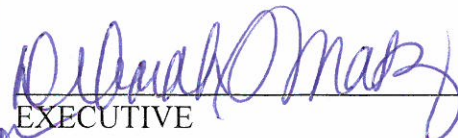
24  
25 INTRODUCED June 3, 2019

26  
27 ADOPTED June 17, 2019

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31   
32 CLERK OF COUNCIL

  
33 PRESIDENT OF COUNCIL

34  
35 APPROVED June 18, 2019

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38   
39 EXECUTIVE

June 18, 2019  
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: Hamilton