

**RESOLUTION NO. 2014-033
(CLARIFYING EDITS REQUIRING RATIFICATION)**

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, the NOACA Code of Regulations provides for the organization and operation of NOACA, its officers, its committees, and the Board of Directors itself; and

WHEREAS, the NOACA Code of Regulations is periodically reviewed in order to increase the agency's functionality and efficiency, to allow the agency to provide greater service to its members, and to allow for increased public participation and transparency; and

WHEREAS, the NOACA Governance Committee met to discuss improvements that might be made to the Code of Regulations and arrived at recommended clarifying edits to articles IV and IX as summarized in the attached table;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain and Medina that:

Section 1. Articles IV and IX of the Code are amended with the changes summarized in the attachment. These changes require the approval of the five counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, from whom ratification is sought prior to the next regularly scheduled Governance Committee meeting on September 12, 2014. If written concurrence is not received by that date, the changes contained in Article IV and Article IX will be void and of no effect.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of July 2014.

Secretary: 

Date Signed: 11 Jul 14

ATTACHMENT

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0217

Sponsored by: Councilmembers Connally, Conwell and Germana	A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency (“NOACA”) Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on July 11, 2014 the governing board of NOACA adopted the NOACA Board Resolution Nos. 2014-033 and 2014-034 to amend the NOACA Code of Regulations; and

WHEREAS, the amendments to Articles IV and IX of the NOACA Code of Regulations do not become effective unless and until ratified by the five member counties; and

WHEREAS, Article IV of the NOACA Code of Regulations establishes the NOACA Board of Directors, providing for the Board’s duties, composition, alternates, terms, election of officers, vacancies, removal of members, compensation of board members, and applicability of Ohio Ethics Law; and

WHEREAS, Article IX of the NOACA Code of Regulations governs the process by which the NOACA Code of Regulations may be amended; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. That the Cuyahoga County Council hereby approves and concurs with the amendments made to the NOACA Code of Regulations on July 11, 2014, as shown in NOACA Resolution Nos. 2014-033 and 2014-034.

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 Mr. Schron, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

Yeas: Hairston, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally

Nays: None


County Council President

9-23-14
Date


County Executive

9/29/14
Date


Clerk of Council

9/23/2014
Date

First Reading/Referred to Committee: September 9, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Journal CC015
September 23, 2014

NOACA CODE OF REGULATIONS – July 2014

Summary of Revisions – Resolution 2014-033

Issue	Recommendation	Proposed Changes
<p>Clarifying edits within Articles IV and IX – recommended by the Governance Committee – Require ratification.</p>	<p>Various provisions in the most recent version of Article IV and IX of the Code requiring amendment or further clarification have been identified.</p>	<ul style="list-style-type: none"> • Section 4.2(a) – adopt language reflecting the intention that appointments to NOACA’s board take into account the demographics of each appointing area. • Section 4.2(m) – clarifying that duties and responsibilities of alternates mirror those of regular board members; clarify that each Board member must appoint one alternate each year and that no person may serve as alternate for more than one Board member. • Sections 4.2(k) and (o), 4.3(h) and (i) – minor clerical changes. • Section 4.3(a) – clarify that officers hold office for a term of one year, beginning in January. • Section 4.3(d) and 4.5 -- changes to the notice process for filling vacancies and removal of members are necessitated because of the new Board meeting schedule. Notice of such proposed actions should be included in the meeting notice, not the preceding meeting. • Standardize notice process throughout – notices to the Board should be given to the President with a copy to the Executive Director. • Article IX – add language regarding the timing of ratification of amendments related to Article IV.

a.12

RESOLUTION NO. 14-527

In the matter of approving the NOACA code)
of regulations)

August 6, 2014

WHEREAS, NOACA adopted three resolutions (2014-032, 2014-033 and 2014-034) on July 11, 2014, making revisions to the NOACA Code of Regulations; and

WHEREAS, two of said resolutions approved by NOACA required concurrence of the five counties of Cuyahoga, Geauga, Lake, Lorain and Medina; and

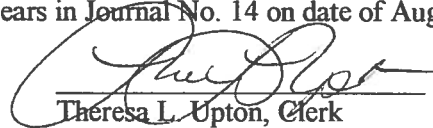
WHEREAS, NOACA's resolution 2014-033 completes many important clarifying edits to Article IV and IX of Code of Regulations. Resolution 2014-034 makes more substance changes to Article IV and IX of the Code of Regulations.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve the ratifications to the NOACA code of regulations in accordance with their resolutions approved on July 11, 2014.

Motion by Kalo, seconded by Kokoski to approve the resolution. Upon roll call the vote taken thereon, resulted as: Ayes: All

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 14-527 is a true copy as it appears in Journal No. 14 on date of August 6, 2014.


Theresa L. Upton, Clerk

REGULAR MEETING – TUESDAY, SEPTEMBER 16, 2014

The Board of County Commissioners of Medina County, Ohio, met in regular session on this date with the following members present:

STEPHEN D. HAMBLEY

ADAM FRIEDRICK

Mr. Friedrich offered the following resolution and moved the adoption of same, which was duly seconded by Mr. Hambley.

**RESOLUTION NO. 14-0790
RESOLUTION APPROVING THE NORTHEAST OHIO AREAWIDE COORDINATING
AGENCY (NOACA) CODE OF REGULATIONS REVISIONS IN NOACA RESOLUTION 2014-
033 REGARDING MEMBERSHIP**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the designated Metropolitan Planning Organization for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties, and

WHEREAS, the NOACA Code of Regulations provides for the organization and operation of NOACA, its officers and committees, and the Governing Board itself, and

WHEREAS, the NOACA Code of Regulations is periodically reviewed to increase the agency's functionality and efficiency, to allow the agency to provide greater service to its members, and to allow for increased public participation and transparency, and

WHEREAS, the NOACA Board of Directors adopted Resolution 2014-033 that made important clarifying edits to Article IV and Article IX of the NOACA Code of Regulations, and

WHEREAS, the Board of Medina County commissioners support these edits.

NOW THEREFORE, BE IT RESOLVED by the Board of Medina County Commissioners that amendments to the NOACA Code of Regulations adopted by the NOACA Board of Directors in NOACA Resolution 2014-033 are hereby ratified and attached as Exhibit A & B.

Voting AYE thereon: Mr. Hambley and Mr. Friedrich

Adopted: September 16, 2014

Prepared by: Commissioners Office