

RESOLUTION NO. 2006-186

WITHDRAWN BY SPONSOR

SPONSOR Mr. Dickinson

DATE Withdrawn 4/24/06

A Resolution directing the County Executive to modify the proposed professional services contract between the County and the National Animal Control Association (NACA) to include all the changes requested by NACA that appear in the memo from NACA's Executive Director dated April 12, 2006, for County Council, and declaring an emergency.

WHEREAS, on February 13, 2006, the County Council adopted Resolution 2006-015, approved by the County Executive, which requested the National Animal Control Association (NACA) to update its assessment of the Summit County Animal Control agency and advise Council on the current status of the agency; and

WHEREAS, on February 22, 2006, the Board of Control enacted Directive No. 041-06 which awarded a professional services contract to NACA in an amount not to exceed \$5,000.00 as a sole source vendor for the County Council; and

WHEREAS, on March 9, 2006, the County Council requested the Executive's Department of Law to include certain provisions in the professional services contract between the County and NACA to ensure openness in the process, including a requirement that the resulting NACA report be made public at the same time it is issued to Council and that NACA shall present its findings in an open session of the Summit County Council; and

WHEREAS, the Executive's Department of Law drafted the professional services contract between the County and NACA and did not include any of Council's requests; and

WHEREAS, NACA has reviewed the terms of the professional services contract and has requested reasonable changes in a memo dated April 12, 2006, addressed to Karen Doty, Department of Law Director, that states "*NACA should be allowed to report any gross misconduct, illegal acts or any situation involving cruelty/neglect to an animal, failure to provide proper medical attention to an animal, etc. should the follow-up review expose such acts. Such "acts" should also be determined by NACA's interpretation, not the County's (as an example, what NACA determines to be "neglect" may not be "neglect" as defined by County practices);*"

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio that:

SECTION 1.

The County Executive is hereby directed to modify the proposed professional services contract between the County and the National Animal Control Association (NACA) to include all the changes requested by NACA in the memo from NACA's Executive Director dated April 12, 2006, attached hereto as Exhibit A, and carry out the intent of Resolution 2006-015.

SECTION 2.

Exhibit A attached hereto is hereby incorporated by reference herein as if fully rewritten.

SECTION 3.

This Resolution is declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason to take all the necessary steps to ensure the reassessment of the Summit County Animal Control Facility occurs and that any actions needed to correct continuing deficiencies at the Facility be implemented in a timely manner.

SECTION 4.

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

SECTION 5.

It is found and determined that all formal actions of this Council concerning and relating to the adoption of the Resolution were adopted in an open meeting of this 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.

INTRODUCED April 17, 2006

ADOPTED **Withdrawn by sponsor 4/24/06**

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

APPROVED

EXECUTIVE

ENACTED EFFECTIVE