

EMERGENCY

City of Cincinnati

CMZ 

An Ordinance No. _____ - 2022

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati providing a time within which the Mayor must assign legislative matters to the appropriate committee of the Council of the City of Cincinnati for consideration, allowing the Clerk of Council to assign legislative matters to the appropriate committee if they are not assigned by the Mayor within that time, providing a time within which Council committee chairs must place assigned ordinances on their committee agendas, providing a time within which the Mayor must place a legislative matter approved by a committee on the Council agenda for passage, and providing that motions and non-legislative resolutions on the council calendar may be immediately considered by Council if (1) the Mayor places the motion or non-legislative resolution on the council calendar for immediate consideration or (2) upon the affirmative vote of two-thirds of the members of Council.

WHEREAS, the members of Council desire to allow the electors of the City of Cincinnati to decide whether to amend the Charter of Cincinnati to provide a time within which the Mayor must refer legislative matters to the appropriate committee of the Council of the City of Cincinnati and place ordinances approved by a Council committee on the Council agenda and within which Council committee chairs must place assigned ordinances on their committee agendas, and to clarify when motions and non-legislative resolutions may be immediately considered by Council; and

WHEREAS, in the interest of efficient conduct of government business, Council proposes that the Charter be modified to enable the legislative sponsor to require timely referral and consideration of legislation at each stage of the legislative process; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, two-thirds of the members elected thereto concurring:

Section 1. That there shall be submitted to the vote of the qualified electors of the City of Cincinnati for their approval or disapproval at the general election to be held November 8, 2022, an amendment to the Charter of the City of Cincinnati, amending Article III, Section 2 thereof to read as follows:

Article III. MAYOR

Section 2.

The mayor shall preside over all meetings of the council but shall not have a vote on the council. The mayor may call a special meeting of the council. The mayor shall exercise the veto power as provided in Article II. The mayor shall appoint and may remove the vice-mayor and the chair of all committees of the council without the advice and consent of the council. The mayor shall assign all legislative matters to the appropriate committee for consideration except if a legislative matter is not assigned by the mayor by the fourth regularly scheduled meeting of council following the date the legislative matter was submitted to the clerk of council, then the clerk of council shall assign the legislative matter to an appropriate committee for placement on the agenda at the committee's next regularly scheduled meeting. Motions and non-legislative resolutions may be assigned by the mayor to the appropriate committee for consideration or motions and non-legislative resolutions may be immediately considered by the council if (1) the mayor places the motion or non-legislative resolution on the council calendar for immediate consideration or (2) upon the vote of two-thirds of the members of council in favor of immediate consideration of the motion or non-legislative resolution. The mayor may propose and introduce legislation for council consideration.

Each legislative matter assigned to a committee shall be placed by the committee chair on the agenda no later than the fourth regularly scheduled committee meeting after referral unless a legislative sponsor of the ordinance grants an extension of time to the clerk of council in writing. If a committee votes to recommend passage of a legislative matter, the mayor shall place it on the council calendar for passage no later than the fourth regularly scheduled council meeting after committee approval, unless a legislative sponsor grants an extension of time to the clerk of council in writing. For purposes of this paragraph, "legislative sponsor" means a member of council, the city manager, or the mayor, who introduced and submitted the legislative matter to the clerk of council.

The mayor shall be recognized as the official head and representative of the city for all purposes, except as provided otherwise in this charter.

The mayor shall appoint the city manager upon an affirmative vote of five members of the council following the mayor's recommendation for appointment. Prior to the vote, the mayor shall seek the advice of council, to include the opportunity for council to interview the candidates considered by the mayor. Should the council not approve the recommendation of the mayor, the mayor may submit another recommendation or institute a new search. The mayor, with the advice of council, shall have the authority to initiate and recommend to the council the removal of the city manager, provided that such removal shall require an affirmative vote of five members of the council. A temporary appointment to the position of city manager that may be required by reason of a vacancy in the office shall be submitted by the mayor to the council for its approval prior to the appointment.

The mayor shall deliver an annual address to the council and citizens of the city reporting on the state of the city and making recommendations for the establishment and achievement of future city goals.

The mayor shall transmit to the council the annual budget estimate prepared by the city manager. The transmittal shall occur within 15 days after receipt from the city manager and may include a letter commenting on the proposed budget.

The mayor shall perform such other duties as may be prescribed by this charter or as may be imposed by council, consistent with the office. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes.

In time of public danger or emergency, the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

The mayor shall appoint his or her assistants in the unclassified service and shall fix their salaries. Such assistants shall serve at the pleasure of the mayor and shall constitute the mayoral service. All other appointments to be made by the mayor shall be made with the advice and consent of the council except as otherwise provided in this charter.

Section 2. That the form of the submission of the proposed amendment to the electors shall be substantially as follows:

CHARTER AMENDMENT	
A majority vote is necessary for passage.	
YES	Shall the Charter of the City of Cincinnati be amended to provide that the Mayor is required to assign a legislative matter to the appropriate committee by the fourth regularly scheduled meeting of council following the date the legislative matter was submitted to the clerk of council; that if the Mayor does not assign a legislative matter within that time, the Clerk of Council shall assign it to the appropriate committee; that each legislative matter assigned to a committee shall

NO	<p>be placed by the committee chair on the agenda no later than the fourth regularly scheduled committee meeting after referral unless the legislative sponsor of the ordinance grants an extension of time to the clerk of council in writing; that upon approval of a legislative matter by a committee, the Mayor shall be required to place such legislation on the Council agenda for passage by no later than the fourth regular meeting following such committee approval; and that motions and non-legislative resolutions may be assigned by the Mayor to the appropriate committee or may be immediately considered by council if (1) the Mayor places the motion or non-legislative resolution on the Council calendar for immediate consideration or (2) upon the vote of two-thirds of the members of Council in favor of immediate consideration of the motion or non-legislative resolution, by amending Article III, Section 2 of the Cincinnati Charter?</p>
-----------	---

Section 3. That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211 (B) of the Ohio Revised Code.

Section 4. That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the said Board to submit the proposed Charter amendment to the electors of the City of Cincinnati as provided by law.

Section 5. That the Board of Elections of Hamilton County, Ohio, shall certify to the Council the result of the vote upon said amendment, and if said amendment is approved by a majority of the electors voting thereon, amended Article III, Section 2 shall become a part of the

Charter of the City of Cincinnati in place of such existing provisions thereof, which shall be repealed.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, go into effect forthwith. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Board of Elections at least sixty days prior to the November 8, 2022 general election.

Passed _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk