

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 5, strike division (a) of Section 523.115(a) in its entirety and insert:

“(a) The Cleveland Public Power Arbitration Panel shall consist of three individuals. Two shall be selected by the Director of Public Utilities and serve at the Director’s discretion. One shall be selected by the Council President and serve at the Council’s President’s discretion.

(1) The two individuals appointed by the Director shall be impartial, in that neither the person who approved the act or omission under review, nor that person’s subordinates, shall participate in the matter; be knowledgeable about the operations and procedures of Cleveland Public Power; and be available to perform all of their duties in connection with the Arbitration Panel in a timely manner.

(2) The appointed Council Member must recuse themselves from hearing, reviewing, or making any determination for a dispute, claim, or complaint involving a resident or business owner of their Ward and be available to perform all of their duties in connection with the Arbitration Panel in a timely manner.”.

2. In Section 5, at new Section 523.115; insert new division (d) to read as follows: “(d) The Director of Public Utilities shall convene an Arbitration Panel upon request of the customer in accordance with the rules and regulations established by the Director.”; and reletter existing division (d) to new division “(e)”.

Date: _____ (Signed): _____

Ronda G. Curtis
Chief Corporate Counsel

Ord. No. 472-2022