

**ORDINANCE NO. 135-23**

**AN ORDINANCE TO ACCEPT ALEX W. BOCCABELLA'S WAIVER OF  
COMPENSATION DURING HIS TENURE ON THE AVON TREE COMMISSION  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Alex W. Boccabella was duly appointed to the Avon Tree Commission by the Mayor on March 28, 2022; and

**WHEREAS**, commencing with the fiscal year of 2024, Mr. Boccabella has expressed his willingness to serve on the Tree Commission without compensation; and

**WHEREAS**, in furtherance of serving on the Commission without compensation, Mr. Boccabella has executed a Compensation Waiver; and

**WHEREAS**, Council has reviewed this Waiver and finds that acceptance of same is in the best interests of the health, safety, and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
AVON, LORAIN COUNTY, OHIO:**

Section 1 – That Alex W. Boccabella's Waiver of Compensation for his service on the Avon Tree Commission beginning with the first pay period of 2024 and continuing throughout that year, is hereby accepted. A copy of said Waiver, dated November 3<sup>rd</sup>, 2023, is marked as [Exhibit A](#) and attached hereto and incorporated herein by this reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept the Compensation Waiver of Alex W. Boccabella for service on the Avon Tree Commission in 2024; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director  
City of Avon, Ohio

ATTEST:

\_\_\_\_\_  
Barbara Brooks, Clerk of Council

Posted: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director