

# Ordinance No. 681-2021

**By Council Member Kelley, Polensek,  
Santana and Bishop**

## AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to enter into one or more agreements with the Greater Cleveland Food Bank, Inc. to assist them with capital improvements associated with the new center on Coit Road and the existing facility on South Waterloo Road, to be executed no later than December 31, 2024, and funds expended by June 1, 2026.

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WHEREAS, to respond to the COVID-19 public health crisis, The American Rescue Plan Act of 2021 (ARPA) is providing fast and direct economic assistance for American workers, families, small businesses, and industries. The ARPA continues many of the programs started by the CARES Act (2020) and Consolidated Appropriations Act (2021) by adding new phases, new allocations, and new guidance to address issues related to the continuation of the COVID-19 pandemic. As a result of this economic crisis, the U.S. Department of the Treasury (“Treasury Department”) is providing needed relief to state, local, and Tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and

WHEREAS, the Treasury Department Interim Final Rule allows ARPA funds to be used for food assistance; and

WHEREAS, during October 2019 – September 2020, the Greater Cleveland Food Bank, Inc. (“Cleveland Food Bank”) provided emergency assistance to one-half of Cleveland residents and reached nearly 87% of income-eligible residents within the City; and

WHEREAS, the Cleveland Food Bank is constructing a new Coit Road Facility to, among other items, expand the production kitchen and cold storage and distribution space, add additional dry storage, and purchase new equipment, and is renovating its South Waterloo facility, to better serve individuals with nutritious food that they need every day.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in the timely authorization and the signing of the necessary agreements and documents to expend ARPA funds; now, therefore,

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Finance is authorized to enter into one or more agreements with the Cleveland Food Bank to assist them with their capital improvement needs associated with construction of the newly expanded community distribution center to house all Cleveland Food Bank intake, distribution and production capacities located at 13815 Coit Road and for renovations of facility located at 15500 South Waterloo Road to include a healthy client choice food pantry and other critical services.

Section 2. That the Director of Law is authorized to prepare the agreements and other documents that may be appropriate to complete the transaction.

Section 3. That the costs of the agreements shall not exceed \$5,000,000 and shall be paid from the fund or funds to which are deposited ARPA funding and other funds approved by the Director of Finance. (RQS 1501, RLA 2021-57)

Section 4. That the agreements authorized shall be fully executed no later than December 31, 2024 and shall provide that all funds must be expended by June 1, 2026.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SM:nl  
8-18-2021  
FOR: Council President Kelley

