

Ordinance No. 786-2020

**By Council Member Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance, on behalf of Cleveland Municipal Court, to apply for, accept, and expend grants and gifts that become available from Federal, State, or other public entities and private entities to respond to and mitigate the impacts of the COVID-19 pandemic, including funds to reimburse the Court for costs incurred as a result of COVID-19; and authorizing the Director to file and execute all agreements and documents necessary for these purposes.

WHEREAS, the World Health Organization, the United States of America, the State of Ohio, Cuyahoga County, and the City of Cleveland each have declared COVID-19 a public health emergency;

WHEREAS, in response to the COVID-19 outbreak and its impact on the economy, public health, and public and private entities, Congress has passed several acts, including the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and Congress may pass additional similar acts; and

WHEREAS, the Cleveland Municipal Court desires to accept grants to assist in responding to and mitigating the impacts of the COVID-19 pandemic; and

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 that the timely authorization and the signing of the necessary agreements and documents to receive and expend such grants to respond to and mitigate the impacts of the COVID-19 pandemic; now, therefore,

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for, accept, and expend Coronavirus Aid, Relief, and Economic Security (CARES) grants, or any other grants or gifts, from federal, state and local agencies or private entities, for the purpose of responding to and mitigating the impacts of the COVID-19 pandemic for any eligible Court improvements, projects, equipment, materials, supplies, training, and programs, including reimbursements for costs incurred by the Court as a result of COVID-19 (“COVID-19 Funding”); that the Director is authorized to file and execute all documents to receive the COVID-19

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Funding; and that the COVID-19 Funding is appropriated for the purposes described in such documents and in this ordinance.

Section 2. That this Council determines that a justified emergency need exist to respond and mitigate the impacts of the COVID-19 pandemic. Therefore, notwithstanding any provision of the Codified Ordinances to the contrary, the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized, after a competitive process, inquiry or investigation based on capability and experience, immediate availability, quality, cost, and safety, to enter into one or more agreements with or make payments to various agencies, corporations, individuals, or other entities to implement the purposes authorized under any grants received under this ordinance.

Section 3. That in accordance with division (b) of Section 108 of the Charter, the Director of Finance is also authorized to enter into agreements and sign all documents necessary to purchase any of the items and services authorized by this ordinance through cooperative purchase arrangements with other government agencies.

Section 4. That all agreements authorized by this ordinance shall be approved by the Director of Law and contain such terms and conditions as necessary to protect the public interest consistent with the purposes of this ordinance.

Section 5. That the costs of any contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited any COVID-19 Funding received under this ordinance, and from any other funds that are appropriated for this purpose as determined by the Director of Finance.

Section 6. 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.

SKM:nl
10-7-2020
FOR: Russell Brown, Court Administrator

