

Ordinance No. 477-2020

By Council Members Griffin and Kelley
(by departmental request)

FOR PASSAGE
June 3, 2020

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Title X Program; authorizing the director to charge and accept fees; entering into one or more agreements to receive payments from Medicare, Medicaid and Medicaid HMO programs; and authorizing contracts with various entities, requirement contracts, and advertising contracts necessary to implement the grant.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$700,000 and any other funds that may become available during the grant term, from the Ohio Department of Health to conduct the Title X Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, **File No. 477-2020-A**, made a part of this ordinance as if fully rewritten, including the obligation to devote program income from first and third-party billings, estimated at \$160,000, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health is authorized to enter into one or more agreements necessary for the City to receive payments from Medicare, Medicaid and Medicaid HMOs to implement the grant as described in the file.

Section 4. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, and services, including lab services, needed to implement the grant as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control

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determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 6. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the Director of Public Health is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to provide additional materials, equipment, supplies, and services under the program described in the file, and the funds are appropriated for that purpose.

Section 8. That the Director of Public Health is authorized to enter into one or more contracts with The MetroHealth System, a county hospital, organized under R.C. 339, the Cuyahoga County Board of Health, Lamar Advertising Company, Commuter Advertising, Inc., and UpToDate Company, to implement the grant as described in the file.

Section 9. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland,

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Ohio, 1976, for the purchase or lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 10. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 11. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 12. That the cost of the contract or contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds, the first and third party billings, and from the reimbursements accepted under this ordinance.

Section 13. 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.

ST:nl
6/3/2020
FOR: Director Gordon

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME
and referred to

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on JUNE 3, 2020

PRESIDENT

CITY CLERK

APPROVED

MAYOR