

Ordinance No. 404-2021

By Council Member Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 143.04 relating to authorizing the Director of Human Resources to apply and accept gifts and grants for the City's Well-Being Program; to expend funds to provide incentives to employee participating in such program; and to enter into one or more contracts to conduct such program and to purchase such incentives.

WHEREAS, the Director of Human Resources has established a City-wide Well-Being Program which encompasses five dimensions, that include Occupational Well-being, Financial Well-being, Physical Well-being, Mental Well-being, and Environmental Well-being (the "Program"); and

WHEREAS, the Director of Human Resources has received grant funds from the International Public Management Association for Human Resources, the National Association of State Treasurer's Foundation, the Center for State and Local Government Excellence, and the Wells Fargo Foundation for the Program and receives wellness dollars from the City's healthcare insurance providers for the purpose of providing for Wellness programs and participation; and

WHEREAS, the Director wishes to provide incentives to employees who enroll and participate in the Program in order to inspire and reward them for participating in online programs, educational workshops, financial coaching and other Program-related offerings; and

WHEREAS, the incentives may include, but are not limited to, gift cards, savings matches, goods, such as software, exercise equipment and books, and professional services, such as counseling, coaching, advising and planning in personal and financial matters; and

WHEREAS, participation in the Program will improve employee health, productivity, and satisfaction; and

WHEREAS, this Council determines that the provision of incentives provided as part of the Program constitutes a public purpose; and

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 Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 143.04 to read as follows:

Section 143.04 Acceptance of Gifts and Grants, and Authority to Purchase and Provide Incentives, for the City-Wide Well-Being Program

(a) *Acceptance of Gifts and Grants.* The Director of Human Resources is authorized to accept gifts and grants from public or private entities, as they become available, to conduct the Well-Being Program ("Program") and to provide incentives describe in division (b) below.

Ordinance No. 404-2021

The Director of Human Resources is further authorized to file all papers, execute all documents, and enter into agreements necessary to apply for, accept, and receive the gifts and grants and, upon acceptance of gifts or grants under this section, the grant or gifts shall be appropriated for the purposes of this section.

(b) *Purchase and Provide Incentives.*

(1) The Director of Human Resources is authorized to expend funds received for the Program to provide incentives to City employees who participate in the Program. These incentives may include, but are not limited to, gift cards, savings matches, goods, such as software, exercise equipment and books, and professional services, such as counseling, coaching, advising and planning on personal and financial matters.

(2) The Director of Human Resources shall promulgate procedures and regulations for the operation, maintenance, and duration of the incentives under the Program.

(c) The Director of Human Resources is authorized to enter into one (1) or more standard purchase and requirement contracts duly let to the lowest and best bidder after competitive bidding for the purchase of materials, equipment, supplies, and services necessary to conduct the Program and to purchase incentives; and to enter into one (1) or more professional services contracts to provide Program-related services to employees as incentives, deemed by the Director of Human Resources to be necessary to conduct the Program.

Any purchase made by standard purchase or requirement contract under this section shall be made by the Commissioner of Purchases and Supplies. The selection of a professional consultant or consultants made under this section shall be made by the Board of Control upon the nomination of said Director of Human Resources from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. Professional services contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Human Resources, and certified by the Director of Finance.

(d) That under Section 108(b) of the Charter, the purchases authorized by this section may be made through cooperative arrangements with other governmental agencies. The Director may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

(e) The costs of contracts for the purchase of incentives authorized by this section shall not exceed \$100,000 annually, and the costs of all contracts authorized by this section shall be paid from any available grant monies appropriated for this purpose, any grant monies or other monies received under this section, annual appropriations made for such purpose, and other funds approved by the Director of Finance.

Section 2. 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
5-24-2021
FOR: Director West

