



392-2020

City of Cleveland Memorandum

Frank G. Jackson, Mayor

TO: Patricia J. Britt, Clerk of Council
Cleveland City Council

FROM: Michael McGrath, Director
Department of Public Safety

DATE: April 28, 2020

SUBJECT: Acceptance of Gift – Hand Sanitizer, Gloves and Masks from Tito’s
Handmade Vodka for the Division of Fire

In accordance with C.O. Section 121.05 and 121.06, the Department of Public Safety is advising Council of the acceptance of a gift under \$10,000.00 from Tito’s Handmade Vodka, which has agreed to donate hand sanitizer, gloves and masks valued at \$10,000.00 to the Division of Fire to support the COVID-19 response.

These materials will also be made available for use by the Divisions of Police and Emergency Medical Service.



Tito's Handmade Vodka

1406 Smith Rd, Suite C
Austin, TX 78721
512-389-9011
www.lovetitos.com

April 22, 2020

City of Cleveland
Division of Fire
1645 Superior Ave
Cleveland, OH 44114
Attn: Chief Angelo Calvillo

Re: Notice of Intent to Donate to Cleveland Division of Fire


Dear Chief Calvillo,

On behalf of Fifth Generation, Inc. dba Tito's Handmade Vodka, it is our intent to provide a gift of four 55-gallon drums of hand sanitizer, 1,000 gloves, and 100 masks to the Division of Fire on behalf of the City of Cleveland. The aggregate fair market value of this gift is \$10,000.00 Dollars.

The gift is intended for use and distribution by the Cleveland Division of Fire in the operation of the department. It is our intention that the gift also be made available for use by the Cleveland Division of EMS and the Cleveland Division of Police.

We thank you for your consideration and the opportunity to contribute to the Cleveland community. Please direct your response and any questions to Courtney Koenig, who can be reached by phone at (216) 323-6168 or by email at courtney.koenig@titosvodka.com.

Best regards,
Fifth Generation, Inc.

DocuSigned by:

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Elizabeth Yeager
General Counsel

CC: Eric Burchak

which shall appear the words "City of Cleveland, O." and "Department of _____", filling in the blank with the appropriate name.

§ 121.03 Offices of Public Record

(a) The offices of the City Clerk and the offices of all directors of departments, of all commissioners or chiefs of divisions and of all heads of bureaus and offices under the Mayor, all of the commissions appointed by Council and of all other boards or commissions of the City, but not the office of the Mayor, shall be offices of public record. Each such office shall preserve, file, record and index in proper form, all official documents and formal reports received by it pertaining to the duties assigned to it, and not required to be transmitted to another office of the City. They shall likewise preserve, file, record and index properly authenticated copies of all official documents and all formal reports issued by them.

(b) Any official document received by any such office and not pertaining to the duties or functions of such office shall not be retained, filed or indexed in such office, but shall be transmitted immediately to the appropriate office, or to the office of the Mayor. Boards and commissions or other authorities which do not maintain offices shall be deemed, for the purposes of this section, to be a part of and included within such offices in the administrative service as they may be most nearly affiliated with, as designated by ordinance or by the Mayor.

(c) All the documents and records covered by provisions of this section shall be the property of the City and shall not be removed from their respective offices except for proper use, and shall be returned upon the completion of any such use. Private papers, not pertaining to the business of any office, shall not be filed or recorded among its records. The official documents and records of any office shall, during the hours when such office is open, be under proper regulations and conditions open to examination by all persons whose official duties so require and to all citizens or taxpayers of the City who may so request. However, documents, reports and records not yet completed, or in use in the work of the office, or documents or records containing information which is required in evidence in litigation in which the City is interested, or which if revealed would result in injury to the interests of the City in litigation or in the conduct of the City's business, need not be so revealed.

§ 121.04 Rules and Regulations of Mayor and Department Heads

The Mayor shall prescribe such rules and regulations as he or she may deem necessary or expedient, not inconsistent with the Charter or the ordinance of the City, for the general conduct of the City's affairs under his or her management, and for the guidance of any two (2) or more departments in their relations with each other and with other public authorities. The director of each department shall in like manner prescribe such rules and regulations as he or she may deem necessary and expedient for the proper conduct of his or her department, not inconsistent with the Charter or ordinances of the City, or with the general rules and regulations prescribed by the Mayor. All such rules and regulations may be revoked or amended or added to at any time by the officer having authority to prescribe them. On or before December 31, 1924, the City Manager shall submit to Council a report setting forth in proper arrangement all general and departmental rules and regulations then in effect. Such report shall be published in pamphlet form or otherwise. Thereafter the City Manager or Mayor shall give written notice to Council whenever new or additional general rules and regulations are prescribed by himself, herself or by any director or when existing rules and regulations are amended or revoked.

§ 121.05 Acceptance of Gifts

The director of any department is hereby authorized to accept gifts of property, including money, provided:

- (a) The gift is used in the operation of the department;
- (b) The donor has provided written notification to the director of intent to make a gift, specifying the type of gift and the amount;
- (c) The director has accepted the gift in writing prior to the date of donation; and
- (d) The aggregate fair market value of all gifts made by the donor during the calendar year does not exceed ten thousand dollars (\$10,000.00).

The director shall notify the Clerk of Council of the acceptance of any gift pursuant to this section.
(Ord. No. 341-91. Passed 4-29-91, eff. 5-2-91)

§ 121.06 Application and Acceptance of Grants

The director of any department is hereby authorized to apply for and accept grants from various entities, both public and private, to conduct the operation of the director's department, provided that the proceeds of each grant shall not exceed ten thousand dollars (\$10,000.00) and provided further that the City is not obligated to provide in cash matching funds as a condition of receiving the grant. The director of any department is further authorized to file all papers and execute all documents necessary to receive the funds under said grants and, upon acceptance of said grants by a director pursuant to this section, the grant funds shall be appropriated for the purposes set forth in the grant agreement. The director shall notify the Clerk of Council of the making of any grant application or the acceptance of any grant pursuant to this section.

(Ord. No. 341-91. Passed 4-29-91, eff. 5-2-91)

§ 121.08 Employee Recognition

The director of any department is hereby authorized to expend funds in order to provide food, beverages, and mementos for events honoring employees for work-related achievements.

(Ord. No. 18-92. Passed 1-27-92, eff. 2-3-92)

§ 121.10 Professional Services Contracts \$10,000 or Less

Notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976 to the contrary, all directors of the various City departments, or the directors' designee, shall provide to the Clerk of Council, within seven (7) days of execution, a copy of any and all professional services contracts which are executed and/or certified in an amount of ten thousand dollars (\$10,000.00) or less.

(Ord. No. 1425-2000. Passed 8-7-00, eff. 8-17-00 without the signature of the Mayor)