

Ordinance No. 509-2020

By Council Member Kelley
(by departmental request)

FOR PASSAGE
June 17, 2020

AN EMERGENCY ORDINANCE

Affirming that funds from the County Coronavirus Relief Distribution Fund will be expended only to cover costs of the City of Cleveland, Ohio consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations as is necessary pursuant to H.B. 481 before receiving said funds and declaring an emergency.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in Senate Bill 310 (S.B. 310), now H.B. 481 of the 133rd General Assembly; and

WHEREAS, S.B. 310, now H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass an ordinance or resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

WHEREAS, the City of Cleveland, Ohio is requesting its share of funds from the County Coronavirus Relief Distribution Fund; and

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

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO THAT:

Section 1. The City Council of the City of Cleveland, Cuyahoga County, Ohio affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to S.B. 310, now H.B. 481 be expended only to cover costs of the City of Cleveland, Ohio consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations and guidance only to cover expenses that:

(1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

(2) Were not accounted for in the City of Cleveland’s most recently approved budget as of March 27, 2020; and

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(3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Section 2. Furthermore, in compliance with S.B. 310, now H.B. 481 be it resolved by the City Council of the City of Cleveland, Cuyahoga County, Ohio that the Director of Finance take all necessary action to:

(1) On or before October 15, 2020, pay any unencumbered balance of money in the City of Cleveland, Ohio’s local coronavirus relief fund to the County Treasurer;

(2) On or before December 28, 2020, pay the balance of any money in the City of Cleveland, Ohio’s local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and

(3) Provide any information related to any payments received under S.B. 310, now H.B. 481 to the Director of the Ohio Office of Budget and Management as requested.

Section 3. The Clerk of Council is directed to file a certified copy of this ordinance with the Ohio Director of Budget and Management (OBM) and the Cuyahoga County Auditor.

Section 4. This Ordinance is being passed as an emergency measure pursuant to O.R.C. 731.30 because the immediate passage of the Ordinance is necessary so that the City of Cleveland can begin receiving COVID-19 reimbursements as soon as possible, 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
6-17-20

FOR: Director Dumas

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REPORT
after second Reading

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READ FIRST TIME

and referred to

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on JUNE 17, 2020

PRESIDENT

CITY CLERK

APPROVED

MAYOR