

(Mayor Potter)
(Amended May 18, 2020)

CITY OF KIRTLAND

ORDINANCE NUMBER 20-O-29

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS
DESIGNEE TO APPLY AND RECEIVE FUNDING
THROUGH THE CORONAVIRUS AID, RELIEF, AND
ECONOMIC SECURITY ACT (CARES ACT), 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 of the 133rd General Assembly (S.B. 310); and

WHEREAS, S.B. 310 requires subdivisions receiving funds under Section 1 of the act, to pass a 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. 601 (d), and any applicable regulations before receiving said funds; and

WHEREAS, the City of Kirtland is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

WHEREAS, due to the current state of emergency in Ohio and the governor’s current stay at home order stemming from the COVID-19 pandemic, the Kirtland Public Library and the Kirtland Community Center have both been closed to protect both the community and the staff from potential infection; and

WHEREAS, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

WHEREAS, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

NOW, THEREFORE, be it ordained by the Council of the City of Kirtland, State of Ohio that the Council affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to S.B. 310 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. 601(d), and any applicable regulations and guidance only to cover expenses that:

1. For any purpose as authorized by the State of Ohio relative to the CARES Act and/or any other coronavirus aid relief.

FURTHERMORE, in compliance with S.B. 310, be it ordained by the Council of the City of Kirtland, that the Mayor or his designee take all necessary action to:

1. Unless the legislature provides a later date, on or before October 15, 2020, pay any unencumbered balance of money in the City of Kirtland's local coronavirus relief fund to the County Treasurer;
2. Unless the legislature provides a later date, on or before December 28, 2020, pay the balance of any money in the City of Kirtland'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 to the Director of the Ohio Office of Budget and Management as requested.

SECTION 1. That the Mayor or his designee is hereby authorized and directed to request its share of funds from the County Coronavirus Relief Distribution Fund as currently drafted and/or passed or amended in the future along with any other similar COVID-19 related economic relief legislation passed in the future. The Mayor or his designee is authorized to execute any and all documents in the furtherance of the intents of this ordinance.

SECTION 2: The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and requires the following:

1. The Clerk of Council is hereby directed to post the enacted legislation in City Hall for fifteen (15) consecutive days after the effective date of this legislation; and
2. Due to the closures of the Kirtland Public Library and the Kirtland Community Center, the Clerk of Council is not required to post said enacted legislation in those locations; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland's website for fifteen (15) consecutive days after the effective date of this legislation.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to provide for the needs of the municipality; wherefor, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____

Second Reading: _____

Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2020.

ATTEST:

Approved by the Mayor on this _____
day of _____, 2020.

Clerk of Council
CARES Act Ordinance

Mayor Kevin F. Potter