

ORDINANCE NO. 119-20

AN ORDINANCE APPROVING THE EXPENDITURE OF CARES ACT FUNDS PURSUANT TO A SUBGRANT AGREEMENT WITH AVON CITY SCHOOLS FOR NECESSARY EXPENDITURES INCURRED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY 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 State of Ohio received an appropriation of CARES Act funds in the amount of \$4.5 Billion to be shared between the State and its local governments; and

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

WHEREAS, guidance subsequently issued by the U.S. Department of the Treasury states that CARES Act funds may not be used to cover costs accounted for in the budget most recently approved as of March 27, 2020 unless said costs are for a substantially different use from any expected use of the funds in said budget; and

WHEREAS, the City Administration determined that the Avon City Schools could benefit from financial assistance to help fund and supplement increased costs associated with various purchases designed to accommodate the on-campus student population with maintaining social distancing and other COVID-19 safety protocols; and

WHEREAS, these expenditures are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 ("COVID-19"), were not accounted for in the budget most recently approved as of March 27, 2020 for the City, and were incurred during the period that began on March 1, 2020 and ends on December 30, 2020; and

WHEREAS, Council finds the recommendation of the Administration to authorize the expenditure of CARES Act funds pursuant to a subgrant agreement with Avon Schools for COVID-19 related expenditures incurred due to the public health emergency to be necessary and in the best interest of the citizens of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 – That the Finance Director is hereby authorized to expend CARES Act funds in the manner set forth by this Ordinance. The Finance Director is further authorized to execute all funding agreements between the City and the Avon City Schools. The following expenditures are reasonable, essential, and substantially dedicated to mitigating or responding to the COVID-19 crisis.

Section 2 –

Agency Requesting Funding	Financial Assistance Awarded	Account No.
Avon City Schools	\$100,000.00	286-286-5350

Section 3 – That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 – That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to provide funding to the Avon City Schools minimize the imminent threat posed by COVID-19; therefore, this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

BY: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Gail A. Hayden
Assistant Clerk of Council

Ordinance No. 119-20 (Con't.)

POSTED: _____
In five places as
provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director