

AN ORDINANCE PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY; AUTHORIZING COUNCIL TO MEET VIA TELECONFERENCE OR OTHER REMOTE COMMUNICATIONS AND GRANTING THE MAYOR EXTRAORDINARY AUTHORITY TO EXPEND FUNDS OF THE VILLAGE FOR CERTAIN PURCHASES OF GOODS AND SERVICES IN ORDER TO REDUCE THE NEED FOR COUNCIL MEETINGS, AND THE DURATION OF SUCH MEETINGS, DURING THE PRESENT COVID-19 CRISIS, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Health has declared that there is community spread of the coronavirus, called COVID-19, which is a respiratory disease marked by fever, cough and difficulty breathing, and on March 9, 2020, Governor DeWine declared an emergency in the State of Ohio due to the spread of the virus in Ohio, followed on March 11, 2020, by a declaration by the World Health Organization (WHO) that the COVID-19 crisis is now a worldwide pandemic; and

WHEREAS, on March 12, 2020, Governor DeWine announced that Ohio Department of Health Director, Amy Acton, has signed an order to prohibit gatherings of 100 or more persons across the State in an attempt to control the spread of infection, which order will remain in place until the state of emergency declared by the Governor has been rescinded or modified; and

WHEREAS, due to the Village's responsibilities to deliver services to its residents and the general public, including formal open public meetings of the Village legislative body, quasi-judicial boards and commissions and other public bodies as well as the delivery of services directly to the public in a face-to-face manner including safety services, utility services, and inspectional services, the social distancing measures discussed above must be implemented in a way that preserves to the greatest possible extent the Village's ability to deliver essential services, in compliance with Ohio law and the Village Charter and Ordinances; and

WHEREAS, pursuant to Article XVIII, Sections 3 and 7, of the Ohio Constitution, the Village has the authority to adopt, and has adopted, a Charter and Ordinances governing the organization and operations of the Village and its Council; and

WHEREAS, the Village's Charter, at Article IV, Section 4.11, states that Council shall by ordinance make provision for the advertising and awarding of contracts and that there shall be competitive bidding for all Municipal contracts; and

WHEREAS, in Section 141.03 of the Village's Codified Ordinances, Council has required that competitive bidding must be conducted for any expenditure over \$50,000; and

WHEREAS, this Council has determined that it is in the best interests of the Village and its citizens to ensure the efficient and continuous operation of the Village government during the present COVID-19 crisis, and that to meet this objective Council should adopt this ordinance to enable Council to meet via teleconference or other means of communication to more readily make decisions if members of Council cannot be present during the crisis and to grant the Mayor

extraordinary authority to expend funds in order to reduce the need for Council meetings, and the duration of such meetings, during the present crisis, by authorizing the expenditure of money without bidding over \$50,000 and up to \$100,000

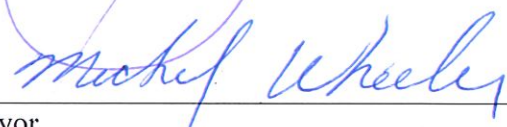
NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

- SECTION 1. This Council finds and determines that the COVID-19 pandemic constitutes an emergency in the Village, and that additional efforts to safeguard the health, safety and welfare of the public are required. In making the determinations and findings in this Resolution, it is Council's intention to exercise and avail itself, on behalf of the Village, of the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio and the Charter and Ordinances of the Village of Richfield. This emergency declaration shall continue for a period of up to ninety (90) days, which period may be extended or shortened by vote of Council.
- SECTION 2. This Council finds and determines that the Village's ability to effectively respond to and manage the COVID-19 pandemic locally will require disruptions to normal meeting schedules and may impact staffing levels, work schedules, and performance of non-essential functions; that ensuring the Village's ability to discharge its essential functions is of critical importance; and that the use of technology and digital communications including virtual and telephonic meetings, remote meeting and work technologies and other advanced communications technologies, including streaming technologies, is encouraged at this time, subject to the approval of the Mayor.
- SECTION 3. Council may during the period of emergency, hold regular or special meetings with 24 hours' notice when practicable; that it may hold such meetings via teleconference or other means of remote communications; that the Council Rules found in Chapter 123 of the Codified Ordinances will be suspended and dispensed with at any such meeting; and that during such meetings during this time, no public comment period will be provided, although comments submitted in a signed writing or an email identifying the writer will be noted, may be read, and will be included in the journal of proceedings.
- SECTION 4. During the period of this emergency, the Mayor is hereby granted the authority to expend funds of the Village up to the amount of \$100,000 without public bidding subject to the provisions of Section 141.03 of the Village's Codified Ordinances.
- SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village of Richfield, such emergency being the need to implement COVID-19 infection control and prevention practices as recommended by the WHO, CDC and the state and local health departments, immediately. Wherefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

PASSED: 3-17-20




President of Council



Mayor

Dated: 3/17/2020

ATTEST:


Clerk of Council