

ORDINANCE NO. 53-13

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CLEVELAND CLINIC FOUNDATION AND THE CLEVELAND CLINIC POLICE DEPARTMENT AND THE CITY OF AVON POLICE DEPARTMENT IN AND AROUND THE RICHARD E. JACOBS HEALTH CENTER AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Avon desires to enter into an agreement (Memorandum of Understanding - MOU) with The Cleveland Clinic Foundation (CCF) and its Police Department ("CCPD"), which would allow its officers to exercise their police powers within the Richard E. Jacobs Health Center and in certain areas outside of the Richard E. Jacobs Health Center, within the City of Avon, and to develop protocols for the operation of those powers; and

WHEREAS, neither The Cleveland Clinic or its police officers nor the City or its police officers will receive compensation for services rendered to each other under the provisions of the Agreement; and

WHEREAS, the term of the Agreement will commence upon the execution of the Agreement and expire on December 31, 2017; and

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

Section 1 - That the Mayor is authorized to enter into an Agreement (Memorandum of Understanding - MOU) with The Cleveland Clinic Foundation, which would allow its police officers to exercise their police powers within the Richard E. Jacobs Health Center and in certain areas outside of the Richard E. Jacobs Health Center within the City of Avon, and to develop protocols for the operation of those powers, pursuant to the MOU Agreement and the MOU Protocols, both of which are attached hereto as Exhibit "A" and incorporated herein by this reference.

Section 2 - 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 3 - 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 enter into an Agreement with The Cleveland Clinic and its Police Department to exercise their police powers within the Richard E. Jacobs Health Center and in certain areas outside of the Richard E. Jacobs Health Center within the City of Avon; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 53-13 (Con't.)

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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