

ORDINANCE NO. 109-20

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT
TO THE AGREEMENT BETWEEN THE CLEVELAND CLINIC FOUNDATION,
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 entered into an agreement (Memorandum of Understanding - MOU) with The Cleveland Clinic Foundation (CCF) and its Police Department (ACCPD), pursuant to Ordinance No. 53-13 which passed on April 22, 2013; and

WHEREAS, the Council of the City of Avon amended Section VI of the agreement (Memorandum of Understanding - MOU) with The Cleveland Clinic Foundation (CCF) and its Police Department (ACCPD) to extend the expiration date to December 31, 2020, pursuant to Ordinance No. 110-17 which passed on December 18, 2017; and

WHEREAS, said agreement allows the Clinic's 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. The arrangement has moved forward to the benefit of both parties since its inception in 2013 and without incident; and

WHEREAS the current term of the Agreement will expire on December 31, 2020; and

WHEREAS, upon the recommendation of the Chief of Police and the City's Safety Director, Council finds it to be in the best interests of the health, safety and welfare of the citizens of Avon to amend the agreement to allow for annual renewal unless either party elects to terminate the Agreement with thirty (30) days' written notice.

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

Section 1 - That the Mayor is hereby authorized to execute an Amendment to Section VI of the Agreement set forth in Ord. No. 53-13, as amended in 110-17, on behalf of the City of Avon and the Avon Police Department with The Cleveland Clinic Foundation and the Cleveland Clinic Police Department to automatically renew each year on December 31st said Agreement unless either party elects to terminate as set forth in the attached Exhibit AA@ which is 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 Amendment to the MOU 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 before its expiration on December 31st, 2020; therefore, this Ordinance shall be in full force and effect immediately upon its passage 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:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director