

RESOLUTION NO. 210-2024(F), *First Reading*

By Mayor Seren

A Resolution authorizing an amendment of the agreement with Bricker Graydon LLP for American Rescue Plan Act related legal counsel services; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the American Rescue Plan Act of 2021 is a federal stimulus package intended to provide relief to address the continued impact of the COVID-19 pandemic on the economy, public health, state, and local governments, and individuals, and businesses; and,

WHEREAS, as part of that stimulus package, Local Governments were provided funds to meet the needs related to the impact caused by the COVID-19 pandemic; and,

WHEREAS, the City is considered one of the eligible units of Local Governments under the American Rescue Plan Act, and thus received a considerable sum of money under the American Rescue Plan Act; and,

WHEREAS, the City engaged the law firm Bricker Graydon LLP to directly assist the City Law Department in reviewing eligibility of requests for American Rescue Plan Act Funds, as well as preparing all necessary documentation related thereto; and,

WHEREAS, the City desires to continue to retain Bricker Graydon LLP regarding the City's intended eligible uses of the American Rescue Plan Act funds; and,

WHEREAS, Bricker Graydon LLP's fees for providing legal services related to the eligible use of American Rescue Plan Act Funds initially were set by agreement to not exceed \$50,000; and,

WHEREAS, this Council determines the nature and quality of the legal services provided thus far by Bricker Graydon LLP necessitates an increase in that fee amount to obtain continued legal counsel services in the City's use of American Rescue Plan Act Funds.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND HEIGHTS, OHIO, that:

SECTION 1. This Council hereby authorizes and approves the First Amendment to the Engagement Letter with the law firm Bricker Graydon LLP, in an amount not to exceed a total \$150,000, as further described in said First Amendment, attached hereto as EXHIBIT A.

SECTION 2. This Council hereby authorizes the Mayor to countersign, conditioned on the Law Director's approval, the First Amendment to the Engagement Letter.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to deadlines related to the obligation of ARPA Funds. Wherefore, provided it receives the affirmative vote of five (5) or more of the 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.

RESOLUTION NO. 210-2024(F)



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TONY CUDA  
President of Council



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ADDIE BALESTER  
Clerk of Council

PASSED: November 4, 2024

Presented to Mayor: 11/07/2024      Approved: 11/14/2024



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KAHLIL SEREN  
Mayor