

CITY OF OBERLIN, OHIO

ORDINANCE No. 20-32 AC CMS

AN ORDINANCE AUTHORIZING THE CITY LAW DIRECTOR TO ENFORCE THE TERMS OF THE EMERGENCY WORKING CAPITAL LOAN PROGRAM AND THE CITY OF OBERLIN COVID-19 EMERGENCY WORKING CAPITAL LOAN PROGRAM AGREEMENTS AS AN EMERGENCY MEASURE

WHEREAS, the City of Oberlin has previously, and may in the future, issue loans to local businesses to spur economic development and employment within the City of Oberlin pursuant to agreements authorized under the Emergency Working Capital Loan Program which is funded through the interest accruing upon State of Ohio Small Cities Community Development Block Grant (CDBG) funds and the City of Oberlin COVID-19 Emergency Working Capital Loan Program which is funded through the General Fund, (“Agreements”); and,

WHEREAS, the City has a legal and fiduciary obligation to enforce the terms of the Agreements and to exercise due diligence to collect on loans in default and,

WHEREAS, authorizing the Law Director to initiate such action as may be reasonably necessary to enforce the terms of the Agreements and to collect on loans in default from time to time, without further action by Council will expedite the enforcement of the Agreements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Country of Lorain and State of Ohio:

SECTION 1. That the Oberlin City Law Director is hereby authorized to initiate such actions to enforce the provisions of the Agreements as he or she shall deem to be reasonably necessary or appropriate to collect loans in default including but not limited to the initiation of civil actions, all without further action of Council and the Law Director shall be paid extraordinary pay for such services.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption 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 action 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 immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: **to provide a mechanism for the City to fulfill its legal and fiduciary obligations to exercise due diligence to collect on loans in default without delay**, and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at

the earliest period allowed by law.

PASSED: 1st Reading: July 6, 2020 (E)

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

POSTED: 07/07/2020



LINDA SLOCUM
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 07/06/2020