

# COUNCIL CHAMBER

City of Berea, Ohio

RESOLUTION No. 2020-16

By Jim Maxwell Sponsored By Mayor Cyril M. Kleen  
Council President Jeff Dettmer  
Councilman Jim Maxwell

## A RESOLUTION

**ENCOURAGING THE UNITED STATES CONGRESS AND THE OHIO LEGISLATURE TO ENACT  
LEGISLATION THAT WILL PROHIBIT BOND RATING COMPANIES FROM DOWNGRADING  
THEIR RATINGS OF MUNICIPALITIES DUE TO CONDITIONS CAUSED BY COVID-19,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person coughs or sneezes. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or eyes; and

**WHEREAS**, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

**WHEREAS**, on January 31, 2020, Alex M. Azar II, Secretary of Health and Human Services, determined and declared that a public health emergency exists in the United States in relation to COVID-19; and

**WHEREAS**, on February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments with updated guidance for COVID-19; and

**WHEREAS**, on March 9, 2020, Governor Mike DeWine signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19 pursuant to the Governor's authority vested in him by the Constitution, the laws of the State of Ohio and in accordance with Revised Code Section 5502.22; and

**WHEREAS**, on March 13, 2020, President Donald J. Trump declared a National Emergency, invoking the Stafford Act and allowing the Federal Emergency Management Agency to coordinate disaster response and aid state and local governments in addressing the COVID-19 pandemic; and

**WHEREAS**, in the City of Berea and across Cuyahoga County there is a current threat of an acutely hazardous disease, illness, or health condition, specifically, COVID-19, that is believed to be caused by the appearance of a novel infectious agent; and

**WHEREAS**, in the City of Berea, this threat has already impacted the daily lives of the citizens of the City of Berea and the need for citizens and City of Berea employees to stay home from work and other public places should they be exposed to the virus substantially impairs the functioning of city government and its ability to protect the lives and property of the citizens of the City of Berea; and

**WHEREAS**, on March 23, 2020, Governor Mike DeWine and Ohio Department of Health Director Amy Acton, M.D. MPH, announced a "Stay at Home" order which was to be in effect from March 23, 2020 at 11:59p.m. until April 6, 2020 at 11:59p.m., but which has since been modified to extend until May 1, 2020 at 11:59p.m., unless the order is rescinded or modified once again; and

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Councilman Maxwell

WHEREAS, political subdivisions rely on the sale of bonds to finance important public capital projects, including those associated with roads, sewers, buildings and equipment; and

WHEREAS, any bond-rating change dramatically impacts a local governments' ability to provide basic services to its residents; and

WHEREAS, local governments should not be financially penalized for the negative economic impact that will occur as a result of the unforeseen coronavirus.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the City of Berea and other Ohio municipalities will be unnecessarily burdened by any downgrades to its bond rating due to the unforeseen circumstances surrounding COVID-19.

SECTION 2. That the full financial impact of this pandemic will not be known for many months and municipalities will be unable to fully address the issue until more data is received.

SECTION 3. That the Mayor of the City, the President of Council, and all Members of Council encourage the United States Congress and the Ohio Legislature to immediately pass legislation to forbid bond rating agencies from lowering bond ratings of municipalities for conditions caused by the coronavirus.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the approval of this Resolution were approved 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 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is vital that the United States Congress and Ohio Legislature act immediately as it is in the best interests of local governments and the residents they serve. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: April 6, 2020

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: April 7, 2020  
[Signature]  
Mayor

Approved as to Form:  
[Signature]  
Director of Law