

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO.: ~~2022-R-8~~ 9/5/21

AMERICAN RESCUE PLAN ACT OF 2021
Coronavirus State and Local Fiscal Recovery Funds

A RESOLUTION AUTHORIZING THE VILLAGE OF WAKEMAN TO USE THE STANDARD ALLOWANCE TO DETERMINE REVENUE LOSS FOR THE LOCAL FISCAL RECOVERY FUND AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT OF 2021 AND THE UNITED STATES DEPARTMENT OF TREASURY AND DECLARING AN EMERGENCY

WHEREAS, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA) on March 21, 2021; and

WHEREAS, Section 603 of the ARPA created the Corona Virus State and Local Fiscal Recovery Funds (SLFRF) program; and

WHEREAS, the SLFRP is intended to provide support to State, territorial, local and Tribal governments in responding to economic and public health impacts of COVID-19; and

WHEREAS, local governments less than 50,000 in population are designated as nonentitlement units of local government (NEUs); and

WHEREAS, one of the key objectives for the SLFRF is to maintain vital public service, even amid declines in revenue resulting from the crisis; and

WHEREAS, the Village administrator reports that the Village will receive a total SLFRF allocation of \$108,318.98 and is receipt of the first half disbursement received of \$54,051.55 and the second half disbursement anticipated in 2022; and

WHEREAS, Section 603(c) of the ARPA generally provides:

(1) USE OF FUNDS. ...

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality;

(B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provisions of government services to the extent of the reduction in revenue of

such the metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer or broadband infrastructure.

WHEREAS, on May 17, 2021, the United States Department of the Treasury published the interim final rule (IFR) describing eligible and ineligible uses of the SLFRF; and

WHEREAS, on January 6, 2022, the U.S. Department of the Treasury adopted the final rule (31 CFR Part 35, Federal Register / Vol 87, No 18) implementing the SLFRF program which became effective April 1, 2022; and

WHEREAS, in January 2022 the U.S. Department of Treasury published the "Coronavirus State & Local Fiscal Recover Funds: Overview of the Final Rule" to provide a summary of major provisions of the final rule for informational purposes and intended as a brief, simplified user guide to the final rule provisions; and

WHEREAS, on February 28, 2022, the U.S. Department of the Treasury published the "Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds" to support recipients in complying with the final rule and to provide additional detail and clarification for each recipient's compliance and reporting responsibilities under the SLFRF program; and

WHEREAS, the U.S. Department of the Treasury deems "Government Services" the most flexible eligible use category under the SLFRF program, and funds (up to the amount of revenue loss) are subject to streamlined reporting and compliance requirements; and

WHEREAS, "Government Services" generally includes any service traditionally provided by a government; and

WHEREAS, the final rule maintains certain restrictions on the use of funds utilized pursuant to the standard allowance including:

Prohibition for use to offset reduction in tax revenue

Prohibition on deposits or contributions to pension funds

Prohibition for use for satisfaction of settlements or judgments

Prohibition for use for debt service or replenishing rainy day funds/financial reserves

WHEREAS, Recipients may determine revenue loss using two available options: (1) Elect "standard allowance" of up to \$10 million (not to exceed the award amount); or (2) Calculate actual revenue loss according to Treasury formula; and

WHEREAS, the "standard allowance" offers a simple, convenient way to determine revenue loss due to the COVID-19 public health emergency and is intended to promote administrative

efficiency and simplify revenue loss calculation particularly for SLFRF's smaller recipients.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That the Village of Wakeman elects to use the "standard allowance" for identifying and reporting revenue loss not to exceed the award amount to fund government services.

SECTION 2. that Village Council hereby authorizes the Village Administrator and/or the Fiscal Officer to execute all necessary documents regarding the "standard allowance" within the SLFRF as authorized by the ARPA.

SECTION 3. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 731.17(A)(2)]

SECTION 4. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

Compliance with certain SLFRF reporting requirement(s) is/are due by April 30, 2022.

SECTION 5. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

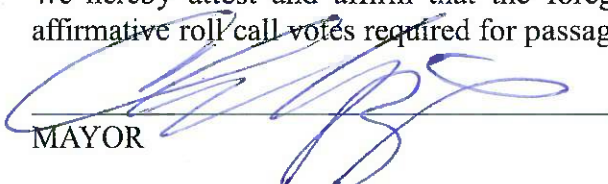
WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 26 day of April, 2022.

ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.


MAYOR


FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

First Reading: April 26, 2022
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

SP(JLP)
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Wakeman Public Library, 18 East Abbott Street; and
- 2) Electronically online at official Village website; and
- 3) Wakeman Post Office, 17 West Main Street; and
- 4) Village of Wakeman Municipal Building, 59 Hyde Street; and
- 5) Mickey Mart, 52 West Main Street.

[Signature]
FISCAL OFFICER