

RESOLUTION 2022-06

VILLAGE OF NEW RICHMOND

Council for the Village of New Richmond met in regular session this 26th day of April 2022 with the following members present:

Mary Allen Yes
Jon Tharpe Yes

Larry Prues Yes
Dennis Dalton Yes

Ryan Woodruff Yes
Richard Feldkamp Yes

Councilperson Allen moved for adoption of the following:

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE FROM AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, the Council has or will be receiving a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(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 such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such 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 full 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, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

WHEREAS, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

WHEREAS, the Village Council of New Richmond, has identified a project which, in the judgment of the Village Council, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

(the “Project”).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of New Richmond, Clermont County, Ohio, with a majority of its members elected thereto concurring:

SECTION 1: The Village elected to use the standard allowance by way of Resolution 2022-05 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.

SECTION 2: The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: _____.

SECTION 3: The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- Police protection
- Fire and emergency medical services
- Road repair, maintenance and other transportation and safety services
- Public infrastructure support
- General government administration and administrative facilities
- Land use regulations and enforcement
- Parks and recreational facilities and programs

Other

SECTION 4: Accordingly, the Project is in the best interests of the Village and is deemed a priority for the community.

SECTION 5: No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

SECTION 6: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 7: This Resolution is declared to be an emergency measure necessary to preserve the health, safety and welfare of the residents of the Village of New Richmond, Ohio and shall become effective immediately upon its adoption.

SECTION 8: That the Village by at least a three-fourths vote hereby dispenses with the requirement that this Resolution be read on three separate days and hereby authorizes the adoption of the Resolution upon its first reading. That this Resolution shall be effective at the earliest date allowed by law.

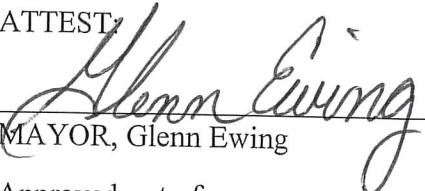
Councilperson Dalton seconded the motion to adopt the foregoing Resolution and upon roll call the vote was as follows:

Mary Allen	<u>Yes</u>
Larry Prues	<u>Yes</u>
Richard Feldkamp	<u>Yes</u>
Dennis Dalton	<u>Yes</u>
Jon Tharpe	<u>Yes</u>
Ryan Woodruff	<u>Yes</u>

First Reading	<u>April 26, 2022</u>
Second Reading	_____
Third Reading	_____

Adopted: April 26, 2022
Date

ATTEST:


MAYOR, Glenn Ewing


CLERK OF COUNCIL, Kathy Fuchs

Approved as to form:


SOLICITOR, Scott Sollmann