

CITY OF KIRTLAND

ORDINANCE NUMBER 21-O-43

AN ORDINANCE PROVIDING FOR THE RECEIPT OF FEDERAL FUNDS DISTRIBUTED AS PART OF THE AMERICAN RESCUE PLAN ACT, ESTABLISHING A SPECIFIC FUND NAMED THE “AMERICAN RESCUE RELIEF FUND” ACCOUNTING FOR THE RECEIPT AND USE OF SAID FUNDS CONSISTENT WITH THE REQUIREMENTS SET FORTH BY THE LEGISLATURE, AND DECLARING AN EMERGENCY.

WHEREAS, the American Rescue Plan (ARP) Act of 2021, an economic COVID-19 stimulus package was signed into law on March 11, 2021; and

WHEREAS, ARP provides additional relief to address the continued impact of COVID19 on the economy, public health, state and local governments, individuals and businesses in the form of funding to the respective States for ultimate distribution to affected Counties and Municipalities; and

WHEREAS, the Federal Treasury has established guidelines governing the use of said funds consistent with the intentions of Congress; and

WHEREAS, The Federal Treasury has issued guidance for States on distribution of said funds to Non-entitlement Units (NEU’s) in the best and most expedient manner; and

WHEREAS, a separate fund is required to be established under Ohio Revised Code Section 5705.09 to account for the receipt and expenditures of the ARP funds; and

WHEREAS, the Auditor of State approves taxing authorities to establish the separate fund required for separate accountability of federal programs upon adoption of a local ordinance or resolution, further, local governments do not need to seek Auditor of State approval for establishing new COVID-19 federal programs; and

WHEREAS, it is the intention of the Administration and Council of the City of Kirtland to receive said funds to be used for the purposes and in the manner so prescribed by the United States Treasury and the Ohio Legislature.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRTLAND, LAKE COUNTY, STATE OF OHIO THAT:

Section 1. This Council of the City of Kirtland agrees to receive subject American Rescue Plan Act Funding as a critical source of relief under guidelines established by the U.S. Treasury.

Section 2. The Director of Finance is hereby directed to establish the American Rescue Plan Act Fund to separately account for any funds received through the American Rescue Plan (ARP) so as to be in compliance with the Federal Funding Accountability and Transparency Act (FFATA).

Section 3. That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the City of Kirtland. The reason for the emergency is to ensure prompt receipt of funds to assist in abating financial and other losses stemming from the COVID pandemic.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2021.

ATTEST:

Approved by the Mayor, this ____
day of _____,
2021.

Clerk of Council
Receipt of ARP Funding

Mayor Kevin F. Potter