

ORDINANCE NO. 40-2021

INTRODUCED BY: MAYOR JAMES GRAVEN AND COUNCIL AS A WHOLE

AN ORDINANCE ESTABLISHING FUND NO. 146 – ARPA FUND AS A SPECIAL REVENUE FUND TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF FEDERAL FUNDS, AS APPROPRIATED BY THE FEDERAL GOVERNMENT FOR DISBURSEMENT TO MUNICIPALITIES IN OHIO AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenues derived from a source other than general property tax, which the law requires to be used for a particular purpose; and

WHEREAS, the City of Olmsted Falls anticipates, based on reports by Federal and State officials, that it may be qualified to receive and should be prepared to accept the transfer or disbursement of federal funds under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) for the purpose of providing fiscal assistance or relief to municipal governments in response to the COVID-19 pandemic and consequential economic uncertainty; and

WHEREAS, the Auditor of State requires the establishment of this special revenue fund to qualify for disbursement of Federal funds and has waived via Bulletin 2021-004 the additional requirement to seek its approval of the establishment of new COVID-19 programs for the expenditure of said federal funds; and

WHEREAS, the City and Council desires to establish an ARPA Fund as a special revenue fund in accordance with the law. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. That there is hereby established a separate Fund No. 146 – ARPA Fund, as a Special Revenue Fund, for the purpose of accounting for the receipt of funds that are or may be allocated and disbursed to the City of Olmsted Falls by the State of Ohio, pursuant to the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), for the purpose of qualified COVID-19 economic relief, and transferred for the economic benefit of the City of Olmsted Falls in accordance with law. The Director of Finance is authorized and directed to establish such fund. Such special revenue fund shall thereafter remain under the control and supervision of the Director of Finance, who shall impose and maintain all financial controls required by law, and provide for audit of such funds in accordance with local and state law.

SECTION 2. That the ARPA Fund be and remain for an indefinite term, unless otherwise terminated by Council, and further that the Director of Finance be and is hereby authorized and directed to pay out of said Special Revenue Fund such amounts necessary to meet the costs or expenses that meet or exceed the qualifications and criteria imposed by law.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls for the further reason that it is necessary that this legislation go into effect immediately in order to establish said ARPA Fund in order to qualify for and receipt disbursements. Therefore, this Ordinance shall therefore take effect immediately upon the passage by the affirmative vote of not less than five members elected to Council and approval by the Mayor, or otherwise at the earliest time allowed by law, whichever is later.

PASSED: _____
Paul Stibich, Council President

APPROVED: _____
James Graven, Mayor *Date*

APPROVED AS TO FORM: _____
Andrew Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

| | Yea | Nay |
|-----------|-------|-------|
| Stibich | _____ | _____ |
| Jones | _____ | _____ |
| Jansen | _____ | _____ |
| McFadden | _____ | _____ |
| Munteanu | _____ | _____ |
| Buchholz | _____ | _____ |
| Chitester | _____ | _____ |