

RESOLUTION NO. 52-2021 (F)

By Council Member Hart

A Resolution establishing the Local Fiscal Recovery Fund and affirming that funds received by the City pursuant to the American Rescue Plan Act of 2021 shall be used only to cover costs incurred by the City of Cleveland Heights consistent with the requirements of the Act and applicable law and regulations; and declaring an emergency.

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”), a \$1.9 trillion economic COVID-19 stimulus package, was signed into law on March 11, 2021; and

WHEREAS, the ARP provides monetary relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses; and

WHEREAS, as part of the ARP package, \$350 billion in funding is being provided to state and local governments, as well as additional funding for other areas including, but not limited to, education, rental assistance and transit; and

WHEREAS, the Federal Funding Accountability and Transparency Act (FFATA) requires separate accountability, usually accomplished through use of separate funds, for direct recipients as well as subrecipients of federal awards greater than \$25,000; and

WHEREAS, Ohio Revised Code §5705.09 requires political subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law, including federal programs, requires to be used for a particular purpose; and

WHEREAS, Ohio Revised Code §5705.12 further requires the taxing authority of a political subdivision to establish, with the approval of the Auditor of State, a separate fund for money derived from specified sources other than the general property tax; and

WHEREAS, the Auditor of State has approved taxing authorities to establish the separate funds required for separate accountability of federal programs upon adoption of a local resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby establishes a Local Fiscal Recovery Fund. The purposes of such fund shall be to account for revenues and expenditures related to the funds received by the City through the American Rescue Plan Act of 2021.

SECTION 2. This Council affirms that all funds received pursuant to the American Rescue Plan Act of 2021 and deposited into said Local Fiscal Recovery Fund will be expended consistent with the requirements of the ARP and any other applicable law, regulations, and guidance.

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SECTION 3. The Director of Finance/Clerk of Council is hereby authorized to submit any documentation necessary to receive funds pursuant to the American Rescue Plan Act of 2021.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to create the new Local Fiscal Recovery Fund at the earliest time possible so that the City may accept and account for the monies it receives pursuant to the American Rescue Plan Act of 2021. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: April 19, 2021