

**RESOLUTION NO. 32 , 2022**

**A RESOLUTION APPROVING THE USE OF AMERICAN RESCUE PLAN ACT  
(ARPA) FUNDS FOR REPORTING AND COMPLIANCE TO THE  
US TREASURY DEPARTMENT FOR FISCAL YEAR 2022**

**WHEREAS**, on March 11, 2021, President Biden signed into law HR 1319, the American Rescue Plan Act of 2021 (“ARPA”), which provides financial assistance to individuals, businesses, and state and local government agencies to assist in the economic recovery from the COVID-19 pandemic; and

**WHEREAS**, ARPA includes a provision entitled “Coronavirus State and Local Fiscal Recovery Funds” (“SLFRF”) that includes \$350 billion in funding for state and local governments of which \$65 billion is dedicated to local government agencies; and

**WHEREAS**, the provisions in SLFRF provide flexibility for each government to meet local needs in four areas: 1) supporting public health response to and economic impacts from the pandemic; 2) provide premium pay for essential workers; 3) replace lost public sector revenues; and 4) invest in water, wastewater and broadband infrastructure; and

**WHEREAS**, the City of Montgomery (the “City”) is classified as a non-entitlement unit within the provisions of SLFRF and received a total of \$1,143,400.08; and

**WHEREAS**, by Resolution 13, 2021, enacted May 5, 2021, Council authorized the City Manager to apply for ARPA funding and to execute any and all documentation including a Participation Agreement to allow the City to receive allocated ARPA funds for eligible expenses under the Rules and Regulations which may be issued to provide guidance for the receipt, allocation and expenditure of such funds; and

**WHEREAS**, the City has appropriated as revenue loss and expensed to date \$52,163.18 in Fund 221, Coronavirus Relief Fund, for the purpose in expenditures for pandemic-related response such as technology, operations for City facilities, and administrative costs; and

**WHEREAS**, the US Treasury Department (“Treasury”) is responsible for administration and distribution of SLFRF funds and issued its Interim Final Rule (“IFR”) on May 10, 2021, its Final Rule (“FR”) on January 6, 2022, and its Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds (“CRG”) version 3.0 was issued on February 28, 2022, that establish the provisions and reporting requirements for the use of the SLFRF funds; and

**WHEREAS**, the FR specifies that every local agency is eligible to claim a minimum allowance of Ten Million Dollars (\$10,000,000) for revenue replacement resulting from revenue losses incurred during the pandemic, without regard to actual revenue losses so incurred, that reduces the reporting and compliance requirements on the local agency; and

**WHEREAS**, it is in the City’s best interest to stipulate to the standard allowance of revenue loss in that the standard allowance exceeds the City’s federal relief funds received under the SLFRF allocated to the City; and

**WHEREAS**, the City Council desires to reserve the one-time replenishment of revenues lost as a result of the pandemic in the City’s General Fund for future appropriation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City shall report the use of ARPA SLFRF funds to the US Treasury Department in the “Revenue Replacement – 6.1 Provision of Government Services” expenditure category based upon the cost of general government expenditures incurred in the City’s General Fund from the period on or after March 1, 2021 through December 31, 2024 until all such funds are exhausted.

**SECTION 2.** The City Manager or his designee is authorized to file all necessary reports with the US Treasury Department in compliance with the IFR, FR and the CRG.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: October 5 2022

ATTEST: Connie M. Gaylor  
Connie M. Gaylor, Clerk of Council

Craig D. Margolis  
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon  
Terrence M. Donnellon, Law Director