

RESOLUTION NO. 2020 - 39

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION AFFIRMING THAT FUNDS RECEIVED BY THE VILLAGE OF OAKWOOD FROM THE CUYAHOGA COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND AS A RESULT OF FUNDING BY THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT) WILL BE EXPENDED ONLY FOR PURPOSES AUTHORIZED BY THE CARES ACT AND ANY APPLICABLE REGULATIONS AND WILL OTHERWISE BE HANDLED AND ACCOUNTED FOR AS REQUIRED BY SAID ACT AND REGULATIONS AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and,

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the CARES Act in Amended Senate Bill 310 of the 133rd General Assembly (Am. S.B. 310); and,

WHEREAS, Am. S.B. 310 requires political subdivisions receiving funds under Section 1 of that Act to pass a resolution affirming that funds from the Cuyahoga County Coronavirus Relief Distribution Fund (CCRDF) may be expended only to cover costs of the political subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and,

WHEREAS, Oakwood Village is requesting its share of funds from the Cuyahoga County Coronavirus Relief Distribution Fund.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Finance Director of the Village is hereby directed to create a fund to be named the "Local Coronavirus Relief Fund" (LCRF) and to deposit into the LCRF all funds received from the CCRDF.

SECTION 2. The Council of the Village of Oakwood affirms that all funds received from the CCRDF pursuant to Am. S.B. 310 shall be expended only to cover costs of the Village consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance to include expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in Oakwood Village's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ending on

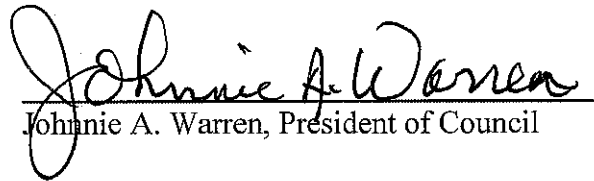
SECTION 3. In compliance with Am. S.B. 310, the Finance Director of the Village shall take all necessary action to:

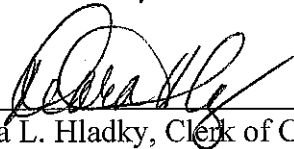
- (1) Pay any unencumbered balance of money in the LCRF to the Cuyahoga County Fiscal Officer on or before October 15, 2020;
- (2) Pay the balance of any money in the LCRF to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management on or before December 28, 2020; and
- (3) Provide any information related to any payments received under S.B. 310 to the Director of the Ohio Office of Budget and Management as requested.

SECTION 4. The Clerk of Council is hereby directed to certify this Resolution to the Cuyahoga County Fiscal Officer and the Director of the Ohio Office of Management and Budget at the earliest possible date.

SECTION 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and funding opportunities to assist in overcoming fiscal difficulties caused by COVID-19 pandemic which must be promptly acted upon for the economic benefit of the Village and its residents and, therefore, provided it receives two-thirds of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

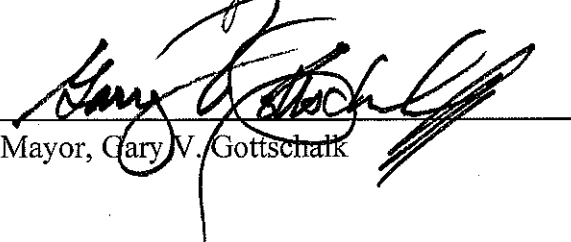
PASSED: May 26, 2020


Johnnie A. Warren, President of Council



Debra L. Hladky, Clerk of Council

Presented to the
Mayor May 27, 2020

Approved: May 28, 2020


Mayor, Gary V. Gottschalk

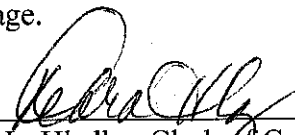
I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Resolution No. 2020- 39 was duly and regularly passed by this Council at the meeting held on the 26 day of May.



Debra L. Hladky, Clerk of Council

POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Resolution No. 2020 - 39 was duly posted on the 28 day of May, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.



Debra L. Hladky, Clerk of Council

DATED: May 28, 2020

As Passed by the Senate

133rd General Assembly

Regular Session

2019-2020

Am. S. B. No. 310

Senator Delan

Cosponsors: Senators Hottinger, Edmund, Burke, Schuring, Antonio, Blossing, Brunner, Craig, Fedor, Gavarone, Hubert, Hoagland, Huffman, S., Johnson, Kuntz, Lahner, Maharath, Manning, Obhof, O'Brien, Paterson, Ruff, Schiffler, Sykes, Thomas, Williams, Wilson, Yuka

A BILL

To provide for the distribution of some federal coronavirus relief funding to local subdivisions, to make an appropriation, and to declare an emergency. 1 2 3 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) As used in this section: 5

(1) "Subdivision" means a county, township, or municipal corporation, and does not include a park district. 6 7

(2) "Ineligible subdivision" means a county or municipal corporation receiving a direct payment under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(b)(2). 8 9 10 11

(3) "2019 LGF allocation" means the amount that would have been deposited to a county's county undivided local government fund in 2019 disregarding any reduction under section 5747.502 of the Revised Code and excluding any amounts deposited in that fund that were paid in that year to ineligible subdivisions or 12 13 14 15 16

pursuant to section 5747.503 of the Revised Code. 17

(4) "2019 COLAF allocation" means the amount of funds from 18
a county's county undivided local government fund a subdivision 19
would have received in 2019 under section 5747.51 or 5747.53 of 20
the Revised Code disregarding any reduction under section 21
5747.502 of the Revised Code and any adjustment because the 22
subdivision, pursuant to an ordinance or resolution, elected to 23
forfe all or a portion of its share of such funds. 24

(5) "Population" has the same meaning as in section 1.59 25
of the Revised Code. 26

(B) As soon as is practicable after the effective date of 27
this section, the Director of Budget and Management, in 28
consultation with the Tax Commissioner, shall provide for 29
payment from the Coronavirus Relief Fund to each county 30
treasury, to be deposited into a new fund in the county treasury 31
to be named the county coronavirus relief distribution fund, 32
which the county auditor shall create for this purpose. The 33
amount of the payment to each county coronavirus relief 34
distribution fund shall equal the amount appropriated under 35
Section 2 of this act multiplied by a fraction, the numerator of 36
which is the 2019 LGR allocation for that county and the 37
denominator of which is the sum of the 2019 LGR allocations for 38
all counties. 39

(C) Within seven days of deposit in the county coronavirus 40
relief distribution fund of the payment described in division 41
(B) of this section, the county auditor shall distribute that 42
money to the county, unless the county is an ineligible 43
subdivision, and to each municipal corporation and township that 44
is not an ineligible subdivision, in an amount equal to the 45
amount of money in that fund multiplied by a fraction, the 46

numerator of which equals the subdivision's 2019 CULGF 47
allocation and the denominator of which equals the sum of the 48
2019 CULGF allocations from that county's county undivided local 49
government fund for all such subdivisions. 50

Upon making the distribution, the county auditor shall 51
report to the Director of Budget and Management the amount 52
distributed to each subdivision. The report shall be made in the 53
manner prescribed by the Director. 54

(D) To be eligible to receive a payment under division (C) 55
of this section, the legislative authority of a county, 56
township, or municipal corporation must adopt a resolution or 57
ordinance affirming that the funds so received may be expended 58
only to cover costs of the subdivision consistent with the 59
requirements of section 5001 of the "Coronavirus Aid, Relief, 60
and Economic Security Act," as described in 42 U.S.C. 601(d), 61
and any applicable regulations. Subject to division (F) of this 62
section, until the legislative authority adopts this resolution 63
or ordinance, the subdivision's share of the money from the 64
county coronavirus relief distribution fund shall remain in that 65
fund. The legislative authority shall certify a copy of the 66
resolution or ordinance to the county auditor and the Director 67
of Budget and Management. 68

(E) Money received under division (C) of this section by a 69
subdivision shall be deposited into a new fund in the 70
subdivision's treasury to be named the local coronavirus relief 71
fund, which the subdivision's fiscal officer shall create for 72
this purpose. Money in that fund shall be used to cover only 73
costs of the subdivision consistent with the requirements of 74
section 5001 of the "Coronavirus Aid, Relief, and Economic 75
Security Act," as described in 42 U.S.C. 601(d). Money in a 76

subdivision's local coronavirus relief fund shall be audited by 77
the Auditor of State during the subdivision's next regular audit 78
under section 117.11 of the Revised Code to determine whether 79
money in the fund has been expended in accordance with the 80
requirements of this section. 81

(F) Not later than October 15, 2020, the fiscal officer of 82
each subdivision shall pay the unencumbered balance of money in 83
the subdivision's local coronavirus relief fund to the county 84
treasurer, who shall deposit this revenue in the county 85
coronavirus relief distribution fund. On or before October 22, 86
2020, the county auditor shall distribute all money to the 87
credit of the county coronavirus relief distribution fund as 88
follows to the county and to each municipal corporation and 89
township in that county, unless the subdivision is an ineligible 90
subdivision or paid an unencumbered balance to the treasurer 91
under this division or the subdivision's legislative authority 92
has not adopted the resolution or ordinance required under 93
division (D) of this section: 94

(1) Twenty-five per cent of the money to the county if it 95
qualifies for a distribution under this division; 96

(2) The remaining balance to each such qualifying 97
municipal corporation or township, of which the distribution to 98
each shall equal the amount of the remaining balance multiplied 99
by a fraction, the numerator of which is the population of the 100
municipal corporation or the unincorporated area of the 101
township, and the denominator of which is the sum of the 102
populations of all such municipal corporations and the 103
unincorporated areas of all such townships in the county 104
eligible to receive a payment under division (F) of this 105
section. 106

Money received by a subdivision under division (F) of this section shall be deposited in the subdivision's local coronavirus relief fund and used as required under division (E) of this section.	107 108 109 110
Upon making the distribution under this division, the county auditor shall report to the Director of Budget and Management the amount of the unencumbered balance paid to the county treasury by each subdivision making such a payment and the amount distributed to each subdivision receiving a distribution under this division. If no subdivision made such a payment to the county treasury, the auditor shall report that no such payments were made. The report shall be made in the manner prescribed by the Director.	111 112 113 114 115 116 117 118 119
(G) Not later than December 30, 2020, the fiscal officer of each subdivision shall pay the balance of money in the subdivision's local coronavirus relief fund that remains unexpended on that date to the state treasury in the manner prescribed by the Director of Budget and Management.	120 121 122 123 124
(H) A county, municipal corporation, or township receiving a payment from a county coronavirus relief distribution fund under this section shall, upon request, provide any information related to those payments or their expenditure to the Director of Budget and Management.	125 126 127 128 129
Section 8. All appropriation items in this section are appropriated out of money in the state treasury to the credit of the Coronavirus Relief Fund (Funds 100). For all appropriations made in this section, the amounts in the first column are for fiscal year 2020 and the amounts in the second column are for fiscal year 2021. The appropriations made in this section are in addition to any other appropriations made for the FY 2020-FY	130 131 132 133 134 135

2021 biennium. 137

138

	1	2	3	4	5
A	OSM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				
C	SCVI	042501	Coronavirus	\$ 350,000,000	\$ 0
			Relief -		
			Local Govt		
D	TOTAL DPF	Dedicated Purpose		\$ 350,000,000	\$ 0
		Fund Group			
E	TOTAL ALL BUDGET FUND GROUPS			\$ 350,000,000	\$ 0

Amounts appropriated in line item 042501, Coronavirus 139
Relief - Local Govt, are to be distributed as specified in 140
Section 1 of this act. Any unencumbered and unexpended amounts 141
left at the end of fiscal year 2020 are hereby reappropriated in 142
fiscal year 2021. 143

Within the limits set forth in this act, the Director of 144
Budget and Management shall establish accounts indicating the 145
source and amount of funds for each appropriation made in this 146
act, and shall determine the form and manner in which 147
appropriation accounts shall be maintained. Expenditures from 148
appropriations contained in this act shall be accounted for as 149
though made in H.B. 166 of the 133rd General Assembly. 150

The appropriations made in this act are subject to all 151

provisions of H.B. 166 of the 133rd General Assembly that are 152
generally applicable to such appropriations. 153

Section 3. This act is hereby declared to be an emergency 154
measure necessary for the immediate preservation of the public 155
peace, health, and safety. The reason for such necessity is to 156
address the financial impact to local governments from the 157
COVID-19 pandemic. Therefore, this act shall go into immediate 158
effect. 159



June 3, 2020

Ms. Kimberly Murnieks
Office of Budget and Management
30 E. Broad Street, 34th Floor
Columbus, Ohio 43215

RE: Coronavirus Relief Fund

Dear Ms. Murnieks,

Due to unforeseen expenses incurred by the Village of Oakwood due to the Covid-19 (known as Coronavirus) outbreak, Oakwood Village is requesting its share of funds from the Coronavirus Relief Fund.

For this purpose, I have enclosed a certified copy of Resolution 2020-39, passed by Oakwood Village Council on May 26, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra L. Hladky", is written over the word "Sincerely,".

Debra L. Hladky, MMC
Clerk of Council

Enclosure

VILLAGE OF OAKWOOD

VILLAGE OF
OAKWOOD

and Progressive

June 3, 2020

Mr. Michael Chambers, CPA
Cuyahoga County Fiscal officer
2079 E 9th St #3
Cleveland, OH 44115

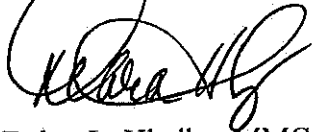
RE: Local Coronavirus Relief Fund

Dear Mr. Chambers,

Due to unforeseen expenses incurred by the Village of Oakwood due to the Covid-19 (known as Coronavirus) outbreak, Oakwood Village is requesting its share of funds from the Cuyahoga County Coronavirus Relief Distribution Fund. I have enclosed a certified copy of Resolution 2020-39, passed by Oakwood Village Council on May 26, 2020.

If you have any questions, please contact me directly at 440.201.1020 or email at dhladky@oakwoodvillageoh.com

Sincerely,



Debra L. Hladky, MMC
Clerk of Council

Enclosure