

COUNCIL CHAMBER

City of Berea, Ohio

RESOLUTION No. 2020-30

By Leon Dozier Sponsored By Mayor Cyril M. Kleem

A RESOLUTION

AFFIRMING THAT ALL FUNDS RECEIVED BY THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND PURSUANT TO H.B. 481 SHALL BE EXPENDED ONLY TO COVER COSTS CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 801 (FORMERLY U.S.C. 601(d)) AND ANY APPLICABLE REGULATIONS AND GUIDANCE, 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 "Coronavirus Aid, Relief, and Economic Security Act" in House Bill 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS, H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801 (formerly 42 U.S.C. 601(d)), and any applicable regulations before receiving said funds; and

WHEREAS, the City of Berea is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

NOW, THEREFORE, be it resolved by the Council of the City of Berea that the City Council affirms:

SECTION 1. That all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801 (formerly 42 U.S.C. 601(d)), and any applicable regulations and guidance only to cover 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 the City of Berea's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

SECTION 2. In compliance with H.B. 481, be it resolved by the Council of the City of Berea that the Director of Finance shall take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City of Berea's local coronavirus relief fund to the County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in the City of Berea's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (3) Provide any information related to any payments received under H.B. 481 to the Director of the Ohio Office of Budget and Management as requested.

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SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were approved in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to obtain the City's share of funding through the CARES Act for costs associated with COVID-19. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

ADOPTED ON: June 15, 2020

ATTEST: [Signature]
Clerk of Council

[Signature]
President of Council

APPROVED: June 17, 2020
[Signature]
Mayor

Approved as to Form:

[Signature]
Director of Law