

## *A RESOLUTION BY THE VILLAGE OF WILLIAMSBURG*

### **RESOLUTION: 916-22**

#### **A RESOLUTION DESIGNATING FUNDS DISTRIBUTED TO THE VILLAGE OF WILLIAMSBURG FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AS LOST REVENUE DUE TO THE PUBLIC HEALTH EMERGENCY UTILIZING THE STANDARD ALLOWANCE AND AUTHORIZING THE USE OF THE FUNDS FOR GOVERNMENT SERVICES AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Section 603 of the Act created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Section 603(c) generally provides that:

- (1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 –
  - (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
  - (B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
  - (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
  - (D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients;

**WHEREAS**, the Rule further clarifies that recipients can use: SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise;

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

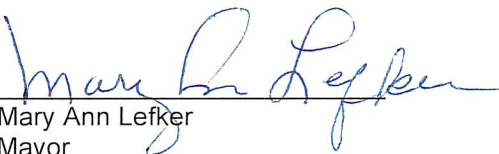
- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds; and

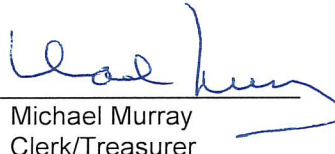
**WHEREAS**, the Village has projects that, in the judgment of Council, will qualify as permitted uses of the ARPA funds, in direct support of government services;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Williamsburg Clermont County, Ohio, at least a majority of its members concurring:

**SECTION 1.** That Village Council hereby designates the funds distributed to the Village of Williamsburg I under the American Rescue Plan Act of 2021 as lost revenue using the standard allowance and its presumption of revenue loss due to the public health emergency and authorizes the use of the full amount of ARPA funds distributed to the Village to fund government services.

Adopted: April 14, 2022.

  
Mary Ann Lefker  
Mayor

  
Michael Murray  
Clerk/Treasurer