

PASSED: May 9, 2022  
BY: Muething

ORDINANCE NO. 2022-2

ELECTING THE USE OF THE STANDARD ALLOWANCE FOR LOSS REVENUE  
FOR THE FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT  
AND UTILIZE THE FUNDS FOR THE VILLAGE ACCELERATED STREETS  
PROGRAM

**WHEREAS**, Congress passed the American Rescue Plan Act of 2021 (“ARPA”) which was Effective March 11, 2021; and

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

**WHEREAS**, the Village of Amberley has received an initial distribution of ARPA funds in 2021 and will receive a final distribution of ARPA funds in 2022; and

**WHEREAS**, ARPA 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, non-entitlement 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, non-entitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to 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, non-entitlement 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, non-entitlement 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, non-entitlement unit of local

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government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.;  
and

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022,  
and effective April 1, 2022 (the “Rule”), 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”); and

**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.; and

**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 . Government services generally  
include any service traditionally provided by a government, unless Treasury has stated  
otherwise; and

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

**WHEREAS**, some common examples of “government services” expressly  
recognized by Treasury include building and maintenance of roads and other  
infrastructure; and

**WHEREAS**, Amberley Village Council has identified the “Accelerated Streets  
Program” as a project which, in the judgment of Council, qualifies as a permitted use of  
the ARPA Funds, in direct support of governmental services; and

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of  
Amberley, Ohio, six (6) members elected thereto concurring:

**SECTION 1:** The Village of Amberley elects to use the standard allowance and  
its presumption of revenue loss due to the public health emergency and to use the  
amount authorized herein to fund government services

**SECTION 2:** The Project, Accelerated Streets Program, to be authorized in 2022  
is deemed a priority for the community, may be paid from ARPA funds received, and

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serves the objectives of ARPA by providing services traditionally provided by a government, namely road repair, maintenance, and other transportation and safety services.

**SECTION 3:** That there is hereby appropriated from the Local Fiscal Recovery Fund #2152 the amount of \$371,873.82 to the Street Construction, Maintenance and Repair Fund #2011 for the Accelerated Streets Program.

**SECTION 4:** The Village Manager and Finance Administrator are authorized to sign documents and submit reports to comply with utilizing ARPA funds.

**SECTION 5:** That this Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Passed this 9th day of May, 2022.

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Mayor Thomas C. Muething

Attest:

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Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Muething

Seconded: Rosen

Muething	Aye
Bardach	Aye
Hunt	Aye
Paul	Aye
Rosen	Aye
Shatz	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the \_\_\_\_ day of May, 2022, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

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Tammy Reasoner, Clerk of Council