

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: *(com)

* presented the following resolution and moved its adoption.

RESOLUTION IN THE MATTER OF ELECTING TO TAKE THE "STANDARD ALLOWANCE" OF UP TO \$10,000,000 AS THE AMOUNT OF REVENUE LOSS FOR USE FOR THE PROVISION OF GOVERNMENTAL SERVICES UNDER SECTION 603(c)(1)(C) OF THE AMERICAN RESCUE PLAN

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the "American Rescue Plan Act of 2021" (ARP), H.R. 1319, Public Law 117-2, was signed into law by the President of the United States on March 11, 2021; and

WHEREAS, Section 603(b)(3) of ARP sets aside a sum of funds available to Counties for use in accordance with its provisions referred to as the "Coronavirus Local Fiscal Recovery Fund" (CLFRF); and

WHEREAS, Section 603(c)(1)(C) of ARP allows use of such funds "for the provision of government services to the extent of the reduction in revenue in Lake County due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the prior to the emergency"; and

WHEREAS, the US Treasury has adopted various rules attached to the use of these funds, having issued a Final Rule on January 6, 2022; and

WHEREAS, § 35.6(d) of the Final Rule provides for the use of a "standard allowance" or for the use of a calculation formula by which an entity may determine the amount of "revenue loss" pursuant to Section 603(c)(1)(C) of ARP, but provides that recipients "must make a one-time election" between those options; and

WHEREAS, the election provided for under § 35.6(d)(1) of the Final Rule allowing a recipient to take up to \$10,000,000.00 as a standard allowance provides the County with more certainty as to exactly how much "revenue loss" funds may be used to provide for "the provision of government services" over the multi-year performance period allowed for use of ARP funds.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby elect, under § 35.6(d)(1) of the Final Rule, to take up to \$10,000,000.00, as a "standard allowance" for "the provision of government services".

BE IT FURTHER RESOLVED, that the use of this standard allowance may be for the direct providing of government services, or they may be used a secondary/additional legal justification or support for an ARP funded project/purchase in the event such a project was later deemed not to be otherwise appropriate for funding use under Section 603(c)(1)(A)(B) or (D) of the ARP.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Finance Director; Lake County Administrator; Commissioners' Office;

** seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: *(com)

"NAYS":