

**ORDINANCE NO. 2020-58**

**AN ORDINANCE AFFIRMING THAT FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND WILL BE EXPENDED ONLY TO COVER COSTS OF THE CITY OF KENT, OHIO CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(D), AND ANY APPLICABLE REGULATIONS AS IS NECESSARY PURSUANT TO H.B. 481 BEFORE RECEIVING SAID FUNDS 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 Senate Bill 310, now H.B. 481 of the 133<sup>rd</sup> General Assembly (S.B. 310); and

**WHEREAS**, S.B. 310, now H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass an ordinance 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. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, H.B. 481 requires subdivisions receiving funds under Section 1 to create a new fund to deposit such monies; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

**SECTION 1.** The City Council of the City of Kent, Portage County, Ohio affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to S.B. 310, now H.B. 481 be expended only to cover costs of the City of Kent, Ohio 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 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 Kent’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.** FURTHERMORE, in compliance with S.B. 310, now H.B. 481 the City Council of the City of Kent, Portage County, Ohio ordained it take all necessary action to:

1. On or before October 15, 2020, pay any unencumbered balance of money in the City of Kent, Ohio'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 Kent, Ohio'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 S.B. 310, now H.B. 481 to the Director of the Ohio Office of Budget and Management as requested.

**SECTION 3.** That the Budget and Finance Director is directed to create a new fund called "local coronavirus relief fund" to deposit all monies received under H.B. 481.

**SECTION 4.** That the Clerk of Council is directed to file a certified copy of this Ordinance with the Ohio Office of Budget and Management's (OBM) and the Portage County Auditor.

**SECTION 4.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: \_\_\_\_\_  
Date

\_\_\_\_\_  
Jerry T. Fiala  
Mayor and President of Council

EFFECTIVE: \_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Amy Wilkens  
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
AMY WILKENS  
CLERK OF COUNCIL

