

**ORDINANCE NO. 2022-67**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING THE CREATION OF THE  
AMERICAN RESCUE COUNTY FUND NO. 274, AND DECLARING  
AN EMERGENCY**

**WHEREAS**, The American Rescue Plan (ARP) Act of 2021, an economic COVID-19 stimulus package was signed into law on March 11, 2021; and

**WHEREAS**, ARP provides additional relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals and businesses in the form of funding to the respective States for ultimate distribution to affected Counties and Municipalities; and

**WHEREAS**, The Federal Treasury has established guidelines governing the use of said funds consistent with the intentions of Congress; and

**WHEREAS**, the City of Lyndhurst has requested and has been awarded funding from the federal ARP disbursement issued to the County of Cuyahoga County, Ohio to purchase a Fire Attack Engine in Lyndhurst, Ohio ("Project"); and

**WHEREAS**, a separate fund is required to be established under Ohio Revised code Section 5705.09 to account for the receipt and expenditures of the ARP County funds; and

**WHEREAS**, The Auditor of State approves taxing authorities to establish the separate fund required for separate accountability of federal programs upon adoption of a local ordinance or resolution, further, local governments do not need to seek Auditor of State approval for establishing new COVID-19 federal programs; and

**WHEREAS**, it is the intention of the Administration and Council of the City of Lyndhurst to receive said funds to be used for the purposes and in the manner so prescribed by Cuyahoga County; and

**WHEREAS**, Council finds the recommendation of the Administration to establish The American Rescue County Fund No. 274 to be in the best interests of the health, safety and welfare of all residents and businesses in the City of Lyndhurst.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,  
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** The Director of Finance is hereby authorized to establish The American Rescue County Fund No. 274 to separately account for any moneys received from Cuyahoga County in compliance with the Ohio Auditor of State (AOS).

**SECTION 2.** It is hereby found and determined that all formal actions of the Council concerning and relating to the passage 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.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Lyndhurst, such reason being to authorize the creation of the American Rescue County Fund No. 274 to separately account for funds received by the City through the County of Cuyahoga County, Ohio. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor or otherwise at the earliest time allowed by law.

PASSED: October 3, 2022

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**MAYOR**

\_\_\_\_\_  
**VICE MAYOR**

ATTEST: \_\_\_\_\_  
**Clerk of Council**

First Reading: October 3, 2022

Second Reading: Suspended

Third Reading: Suspended

Passed 10-3-2022