

TO: Mayor Stefan C. Densmore  
Members of Village Council

FROM: Terrence M. Donnellon

RE: Legislative Agenda – October 26

DATE: October 22, 2020

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Attached is the legislation for our scheduled Council meeting Monday, October 26, 2020.

**1. Ordinance No. 2020-11**

**An Ordinance To Amend Appropriations For Current Expenses And Other Expenditures Of The Village Of Golf Manor For The Fiscal Year Ending December 31, 2020**

This Ordinance further amends appropriations for calendar year 2020 to reflect adjustments in expenditures through the third quarter 2020. Council is asked to suspend the second and third readings of this Ordinance so that the amended appropriations take effect immediately. We anticipate another amended appropriation will occur with the year-end cleanups in December.

**2. Resolution No. 2020-17**

**A Resolution Finding That Public Safety Personnel Are Substantially Dedicated To Mitigating Or Responding To The Covid-19 Public Health Emergency**

As the Village continues to receive CARES Act funding, or to be eligible to apply for reimbursement of CARES Act funding, it has been recommended by a number of jurisdictions that we specifically spotlight our Police Department and the efforts they have made in mitigating the impact of COVID-19. This will enable us to apply funding either directly to supplement the additional costs in the Police Department or to seek reimbursement for those expenses recognizing their essential role as frontline warriors.

Respectfully submitted,



Terrence M. Donnellon,  
Village Solicitor

TMD/ltd

Enclosures

cc: Ron Hirth, Village Administrator  
Andy Lanser, Asst. Village Administrator

**ORDINANCE NO. 2020 - 11**

**AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES  
AND OTHER EXPENDITURES OF THE VILLAGE OF GOLF MANOR  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020**

**WHEREAS**, Council previously did adopt Ordinance 2019-18 to appropriate funds for the fiscal year commencing January 1, 2020 and ending December 31, 2020; and

**WHEREAS**, Council previously did adopt Ordinances 2020-4, 2020-5, 2020-7, 2020-8, 2020-9 and 2020-10 to amend such appropriations for fiscal year 2020; and

**WHEREAS**, the Administration has recommended, and Council does desire, to amend such appropriations to closeout 2020 fiscal year, some of which related to the receipt of new funds to combat the COVID-19 pandemic, to amend such appropriations through the third quarter 2020.

**NOW THEREFORE**, Be It Ordained by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

**SECTION I.** Effective immediately, in order to provide for the ongoing expenses and other expenditures of the Village of Golf Manor for fiscal Year 2020, the sums detailed on the attached schedule are hereby appropriated as if such schedule is fully set forth herein.

**SECTION II.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Stefan C. Densmore

ATTEST:

\_\_\_\_\_  
Anna Gedeon, Assistant Clerk

APPROVED AS TO FORM:

  
Terrence M. Donnellon, Solicitor

## **RESOLUTION NO. 2020 - 17**

### **A RESOLUTION FINDING THAT PUBLIC SAFETY PERSONNEL ARE SUBSTANTIALLY DEDICATED TO MITIGATING OR RESPONDING TO THE COVID-19 PUBLIC HEALTH 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**, in House Bill 481 of the 133<sup>rd</sup> General Assembly (HB 481), the Ohio General Assembly established a process for distributing funds provided by the CARES Act; and

**WHEREAS**, HB 481, required political subdivisions receiving funds under Section 1 of the CARES Act, to pass a Resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the political subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, on June 22, 2020, this Council adopted Resolution 2020-7 and affirmed that all funds received from the Hamilton County Coronavirus Relief Distribution Fund pursuant to HB 481 be expended only to cover costs of the Village of Golf Manor consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801(d) and any applicable regulations and guidance; and

**WHEREAS**, the Ohio Office of Budget and Management (OBM), in its Guidance & Frequently Asked Questions, updated August 28, 2020 (OBM Guidance), directed local jurisdictions to “evaluate all proposed expenditures based on guidance contained within the U.S. Department of Treasury Guidance and Coronavirus Relief Fund Frequently Asked Questions”; and

**WHEREAS**, the OBM Guidance further advised that “it is presumed for administrative convenience that personnel costs related to public safety are substantially dedicated” for purposes of the CARES Act unless the Chief Executive of the entity receiving the funds determines otherwise; and

**WHEREAS**, the United States Department of Treasury (Treasury), in its Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments, dated September 2, 2020 (Treasury Guidance), advised that “[p]ayroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency” are eligible expenditures of CARES Act funds; and

**WHEREAS**, the Treasury Guidance further advised that local governments may presume that “public health and public safety employees meet the substantially dedicated test, unless the Chief Executive (or equivalent) of the relevant government determines that specific circumstances

indicate otherwise. This means that, if this presumption applies, work performed by such employees is considered to be a substantially different use than accounted for in the most recently approved budget. All costs of such employees may be covered using payments from the Fund for services provided during the period that begins on March 1, 2020, and ends on December 30, 2020"; and

**WHEREAS**, the Treasury Guidance further advised that "public safety employees" include "police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel".

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

**SECTION I.** In reliance on the Treasury Guidance and OBM Guidance and having examined the circumstances of the Village of Golf Manor, this Council finds and determines that the Treasury presumption that Village of Golf Manor public safety employees, specifically employees of the Police Department, meet the substantially dedicated test and no specific circumstances rebut the presumption. This Council further finds and determines that all full and part-time employees in the Village of Golf Manor Police Department are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Therefore, current and future distributions of CARES Act funds to Village of Golf Manor may be expended to cover the payroll and benefits of Police Department employees.

**SECTION II.** This Resolution shall take effect the earliest opportunity as allowable by law.

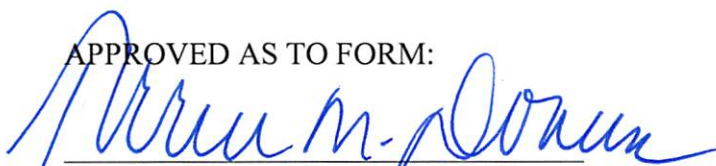
PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Stefan C. Densmore

ATTEST:

\_\_\_\_\_  
Anna Gedeon, Assistant Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Solicitor