

RESOLUTION NO. 2011-094

First Reading Passage Requested

J. Dodson

SPONSOR Mr. Pry and Mr. Poda

DATE February 14, 2011

COMMITTEE Personnel

A Resolution opposing the State of Ohio's plan to recapture and reallocate American Recovery and Reinvestment Act of 2009 Home Weatherization Assistance Program funds from the County of Summit and other similarly situated subgrantees, requesting the State of Ohio to reconsider and reverse its action, and urging all State Senators, State Representatives, Congressional Representatives and US Senators representing Summit County to oppose this action, for the Executive, and declaring an emergency.

WHEREAS, the State of Ohio was the recipient of approximately \$266 million of Home Weatherization Assistance Program ("HWAP") funding through the American Recovery and Reinvestment Act of 2009 ("ARRA"), and

WHEREAS, following receipt of the ARRA HWAP funds, the State of Ohio allocated the same to the HWAP provider subgrantees located throughout the State, including the sum of \$7,083,214 for the County of Summit Department of Community and Economic Development; and

WHEREAS, the ARRA HWAP allocation was provided to the State of Ohio to be spent during the timeframe of April 1, 2009 to March 31, 2012, and the funds were allocated to subgrantees to be spent during this timeframe; and

WHEREAS, as recently as November and December 2010, the State of Ohio advised the County of Summit that it would be able to use its ARRA HWAP funds through March 31, 2012, and to plan its budget accordingly; and

WHEREAS, in reliance upon the award of the ARRA HWAP funds and the representations made by the State of Ohio that the County would be able to use its ARRA HWAP funds through March 31, 2012, the County has developed a plan and entered into agreements to provide home weatherization improvements to hundreds of low and moderate income individuals and several private weatherization contractors in the County have hired additional personnel and acquired additional equipment and vehicles; and

WHEREAS, on Tuesday, February 8, 2011, the State of Ohio advised the County of Summit and several other, mostly urban-based subgrantees, that the State would recapture any unspent ARRA HWAP funds from those subgrantees as of March 31, 2011, and redistribute those funds to several mostly rural-based subgrantees, in order to replace administrative funding that those mostly rural-based subgrantees were losing from other programs; and

WHEREAS, the plan of the State of Ohio to recapture and redistribute this funding will result in (i) the loss of more than \$2.5 million in HWAP funds for Summit County, (ii) the loss, for hundreds of low-income and disabled residents in the County, of weatherized and more efficient housing, and (iii) the loss of revenue to several Summit County-based weatherization contractors who have incurred additional expenses for personnel, vehicles, equipment, etc.; and

WHEREAS, the County of Summit, like several of the subgrantees that will be losing funding, contracts with private weatherization contractors to provide services, rather than engaging in wasteful spending on personnel and unnecessary equipment, vehicles, etc., and, as a result, has seen a lower cost per housing unit than several subgrantees that do not contract with private businesses; and

WHEREAS, the subgrantees that will be losing funding have, in general, spent well-below the State goal of \$6,500.00 per housing unit, and, in general, have spent less per housing unit than the entities that are receiving the reallocated funding; and

WHEREAS, as a result of the lower cost per housing unit realized by many of these subgrantees, they will be able to complete more weatherization jobs using the sums awarded and will exceed the number of housing units that they were originally targeted to complete; and

WHEREAS, as a result of the State's recapture and reallocation plan, the State is effectively punishing those subgrantees that have efficiently managed and spent the ARRA HWAP funds received by those subgrantees, and is punishing subgrantees that have utilized private contractors in the spirit of growing private jobs and investment; and

WHEREAS, the State indicated at the meeting on Tuesday, February 8, 2011 that it did not intend to submit an amendment to its ARRA HWAP State Plan for approval by the US Department of Energy, an action that the County believes may be in violation of federal law; and

WHEREAS, this Council finds and determines that it is necessary to oppose the State's plan to recapture and reallocate ARRA HWAP funds from the County and other similarly situated subgrantees for distribution to other ARRA HWAP subgrantees, request the State of Ohio to reconsider and reverse its action, and urge all State Senators, State Representatives, Congressional Representatives and US Senators representing Summit County to oppose this action.

SECTION 1

This Council hereby opposes the State of Ohio's plan to recapture and reallocate American Recovery and Reinvestment Act of 2009 Home Weatherization Assistance Program funds from the County of Summit and other similarly situated subgrantees, requests the State of Ohio to reconsider and reverse its action, and urges all State Senators, State Representatives, Congressional Representatives and US Senators representing Summit County to oppose this action.

SECTION 2

The Clerk of Council is hereby directed to send a certified copy of this Resolution to all State Senators, State Representatives, Congressional Representatives and US Senators representing Summit County, the Ohio Office of Community Services and Governor John Kasich.

SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens and employees of the County of Summit and for the further purpose of immediately opposing the aforementioned action of the State and seeking action to oppose and reverse the State's action prior to the State's action taking effect.

SECTION 4

Provided this Resolution receives the affirmative vote of eight (8) members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be in force at the earliest time provided by law.

SECTION 5

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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, including Section 121.22 of the Ohio Revised Code.

INTRODUCED February 14, 2011

ADOPTED February 14, 2011

Shirley F. Green
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

APPROVED February 14, 2011

[Signature]
EXECUTIVE

ENACTED EFFECTIVE February 14, 2011

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith