

RESOLUTION #03072022-3

A RESOLUTION AUTHORIZING THE ALLOCATION OF CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS FOR THE PROVISION OF SPECIFIED GOVERNMENT SERVICES AND AMENDING THE CITY'S WRITTEN PLAN FOR EXPENDITURE

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”), was enacted on March 11, 2021; and

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the United States Treasury to local governmental units to assist local governmental units in remedying the negative fiscal impacts stemming from the COVID 19 Public Health Emergency; and

WHEREAS, the Coronavirus Local Fiscal Recovery Fund, established under 42 U.S.C. § 803, provides for distribution of revenue to “non-entitlement units of local government,” such as the City of New Castle, Indiana.; and

WHEREAS, revenue received from the Coronavirus Local Fiscal Recovery Fund may only be utilized for the specified purposes set forth in 42 U.S.C. § 803 (c); and

WHEREAS, one of the permitted uses of funds received is “for the provision of government services to the extent of the reduction in revenue of such....non-entitlement unit of local government....due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the.... non-entitlement unit of local government....prior to the emergency; or”; and

WHEREAS, the Department of Treasury has adopted a Final Rule regarding the calculation of reduction of revenue that provides that a recipient can utilize funds to replace lost revenue up to the amount of actual loss calculated or can elect a standard allowance for revenue loss of up to Ten Million Dollars (\$10,000,000) over the period of performance; and

WHEREAS, the provision of government services, as defined in the Final Rule, is any service typically performed by a government, including, the construction of infrastructure and the provision of emergency services; and

WHEREAS, the City of New Castle wishes to elect to utilize the standard allowance for revenue loss and to allocate revenue received from the Coronavirus Local Fiscal Recovery Fund, as described in this Resolution to the General Fund and to appropriate those amounts for repair and improvement to the sidewalks near the Babe Ruth baseball diamond and for the renovation of a building for use as a station for the City's Police Department;

NOW THEREFORE, BE IT ORDAINED, by the Common Council of the City of New Castle, Indiana, as follows:

1. The Common Council hereby allocates the sum of up to Four Hundred Thirty Thousand Dollars (\$430,000.00) to the City General Fund as replacement of revenue lost due to the COVID-19 public health emergency.

2. The City of New Castle elects to utilize the standard allowance of up to Ten Million Dollars (\$10,000,000.00) for the purpose of calculating revenue loss for purposes of 42 U.S.C. § 803 (c) (1) (C).

3. The funds allocated to the City General Fund under this Resolution are appropriated for the following purposes only:

a. The sum of up to Eighty Thousand Dollars (\$80,000.00) for the construction and repair of the sidewalk adjacent to the Babe Ruth baseball diamond and Little League baseball diamond (from "M" Avenue to "I" Avenue); and

b. The sum of up to Three Hundred Fifty Thousand Dollars (\$350,000.00) for the completion of construction of a station for use by the City's Police Department. Construction must be completed by December 31, 2022, unless the date for completion is extended by the Common Council.

4. The written fiscal plan for the expenditure of revenue received from the Coronavirus Local Fiscal Recovery Fund is attached hereto as "Exhibit A." The remaining sums received by the City of New Castle through the Coronavirus Local Fiscal Recovery Fund may be utilized for any of the purposes set forth in 42 U.S.C. § 803 (c). The written plan for expenditure will be amended, from time to time, as determined by the Common Council in advance of any other expenditures.

REPEALER: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Resolution shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS _____ DAY OF _____, 2022.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

AYE

NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2022.

Greg York, Mayor of the City
of New Castle, Indiana

WRITTEN PLAN FOR EXPENDITURE OF FUNDS RECEIVED FROM THE
CORONAVIRUS LOCAL RECOVERY FUND

The City of New Castle shall expend revenue received from the Coronavirus Local Recovery Fund as follows:

1. To provide premium pay to eligible workers employed by the City as described in Ordinance 3877.
2. The sum of up to One Hundred Thousand Dollars (\$100,000.00) to acquire body worn cameras, software and related equipment for use by the Police Department.
3. The sum of up to Four Hundred Thirty Thousand Dollars (\$430,000.00) as replacement of revenue lost due to the COVID-19 public health emergency for the provision of the specific government services below:
 - a. The sum of up to Eighty Thousand Dollars (\$80,000.00) for the construction and repair of the sidewalk adjacent to the Babe Ruth baseball diamond; and
 - b. The sum of up to Three Hundred Fifty Thousand Dollars (\$350,000.00) for the completion of construction of a station for use by the City's Police Department.

Exhibit A