

**RESOLUTION NO. 06062022-2**

**A RESOLUTION AUTHORIZING THE ALLOCATION OF CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS FOR THE PROVISION OF SPECIFIED GOVERNMENT SERVICES AND FURTHER 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 City of New Castle has previously elected, by Resolution 03072022-3, to utilize a standard allowance for revenue loss of up to Ten Million Dollars (\$10,000,000.00); and

WHEREAS, the provision of government services, as defined in the Final Rule, is any service typically performed by a local government, and

WHEREAS, the City of New Castle wishes to allocate funds received from the Corona Virus Local Fiscal Recovery Plan for the purpose of creating a mural on the building adjacent to "Citizens Corner" (intersection of Main Street and Broad Street) and to establish a Workforce Retention and Recruitment Program and Fund, as provided under Indiana Code § 36-1-29.5-1, *et.seq.*

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

1. The Common Council hereby allocates the sum of up to Forty Thousand Dollars (\$40,000.00) for the creation of a mural by Pamela Bliss on the west exterior wall of the building located at 1306-1308 Broad Street and the repair of ground that is damaged in the creation of the mural. The sum of Thirty- Five Thousand Dollars (\$35,000.00) shall be allocated to the cost of creation of the mural and the sum of Five Thousand Dollars (\$5,000.00) shall be allocated to the repair of ground that is damaged by the creation of the mural.

Prior to the commencement of work, the owner of the premises (1306-1308 Broad Street) where the mural will be located must execute and deliver a written covenant, in recordable form, agreeing that the mural may not be removed, altered or changed without the prior written consent of the City for a period of no less than ten (10) years after the mural is completed. The written covenant must be satisfactory to the City of New Castle, must bind the owner, its successors in interest, and the premises, and must have priority over all other interests in the real estate (excluding taxes and other governmental assessments).

2. The Common Council further allocates the sum of One Hundred Ten Thousand Dollars (\$110,000.00) for the creation of a fund to support and administer a Workforce Retention and Recruitment Program, as described in Indiana Code § 36-1-29.5-1, *et.seq.*.

3. The written fiscal plan for the expenditure of revenue received from the Coronavirus Local Fiscal Recovery Fund is attached hereto as "Exhibit A "and each such expenditure is allocated to the replacement of lost revenue. 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.

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

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ATTEST:

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Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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

## Exhibit A

### **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 Fifty Thousand Dollars (\$50,000.00) for the demolition of vacant or abandoned structures.
4. The sum of up to Four Hundred Thirty Thousand Dollars (\$510,000.00) for the performance of improvements described 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 Little League baseball diamond (South Main Street from "M" Avenue to "I" Avenue and "M" Avenue from Roosevelt Avenue to South Main Street); 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.
  - c. The sum of up to Eighty Thousand Dollars (\$80,000.00) for the construction and repair of sidewalks on North 14th Street between Michigan Street and Garner Street.
5. The sum of up to Five Thousand Dollars (\$5,000.00) for the acquisition of two (2) AirQino Outdoor Air Quality Testing Sensors.

6. The Common Council hereby allocates the sum of up to Forty Thousand Dollars (\$40,000.00) for the creation of a mural by Pamela Bliss on the west exterior wall of the building located at 1306-1308 Broad Street and the repair of ground that is damaged in the creation of the mural. The sum of Thirty- Five Thousand Dollars (\$35,000.00) shall be allocated to the cost of creation of the mural and the sum of Five Thousand Dollars (\$5,000.00) shall be allocated to the repair of ground that is damaged by the creation of the mural.

Prior to the commencement of work, the owner of the premises (1306-1308 Broad Street) where the mural will be located must execute and deliver a written covenant, in recordable form, agreeing that the mural may not be removed, altered or changed without the prior written consent of the City for a period of no less than ten (10) years after the mural is completed. The written covenant must be satisfactory to the City of New Castle, must bind the owner, its successors in interest, and the premises, and must have priority over all other interests in the real estate (excluding taxes and other governmental assessments).

7. The sum of up to One Hundred Ten Thousand Dollars (\$110,000.00) for the creation of a fund to for the creation of a fund to support and administer a Workforce Retention and Recruitment Program, as described in Indiana Code § 36-1-29.5-1, *et.seq.*.