

ORDINANCE 2021-06

AN ORDINANCE CREATING THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND FOR THE CITY OF AUSTIN, INDIANA

WHEREAS, the federal government has passed the American Rescue Plan Act (“ARP”) to help mitigate the harm and cost to local governments from the Coronavirus Pandemic; and,

WHEREAS, the ARP allocates significant sums of monies to local government for recovery efforts and a new City fund, created by an ordinance, is needed in order to receipt said funds in accordance with State Examiner Directive 2021-1; and,

WHEREAS, the ordinance must specify the uses of the fund in accordance with the purposes outlined in Section 603(c). The ordinance should reference a plan that will provide the details for the use of these funds in accordance with State Examiner Directive 2021-1; and,

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUSTIN as follows:

SECTION 1: There is hereby established, for the City of Austin, the ARP Coronavirus Local Fiscal Recovery Fund for the receipt of the City’s allocation from the Coronavirus Local Fiscal Recovery Fund under Section 603 of the Social Security Act, as added by Section 9901 of the ARP. The Clerk-Treasurer shall number the fund in accordance with State Examiner Directive 2021-1.

SECTION 2: Before money in the fund is disbursed, the Common Council must appropriate the money in the fund for a use consistent with Section 603(c). Allowed Uses of Funds Under Section 603:

- A. Respond to the public health emergency caused by COVID-19 or the economic effects from COVID-19 (ARPA-21, § 9901; Section 603(c)(1)(A)).
- B. Aid households, small businesses, and nonprofits (ARPA-21, § 9901; Section 603(c)(1)(A)).
- C. Aid affected industries such as tourism, travel, and hospitality (ARPA-21, § 9901; Section 603(c)(1)(A)).
- D. Provide premium pay to eligible workers who perform essential work (ARPA-21, § 9901; Section 603(c)(1)(B)).

- E. Provide grants to eligible employers of eligible workers (ARPA-21, § 9901; Section 603(c)(1)(B)).
- F. Cover the loss of revenue (compared with the most recent full fiscal year) due to COVID-19 (ARPA-21, § 9901; Section 603(c)(1)(C)).
- G. Invest in water, sewer, or broadband infrastructure (ARPA-21, § 9901; Section 603(c)(1)(D)).

If the City chooses to use the ARP funds to cover costs incurred for the provision of governmental services as provided in Section 603(c)(1)(C), the City will maintain detailed calculations of the reduction in revenue due to COVID-19. For purposes of this calculation, the most recent full fiscal year prior to the emergency of 2019 shall be used. The use of the funds for the provision of governmental services is limited to the extent of the reduction in revenue due to the COVID-19 public health emergency.

SECTION 3: The legislation also requires that:

- A. Funds are used for costs incurred by December 31, 2024.
- B. Funds may not be used for deposit into a pension fund (ARPA-21, § 9901; Section 603(c)(2)).
- C. The City must provide certified reports to the Treasury Secretary (ARPA-21, § 9901; Section 603(b)(5) and (d)).

To ensure accountability and transparency of the use of these funds, all disbursements must be made from the ARP grant fund; money from the ARP fund may not be transferred to another fund of the City.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts.

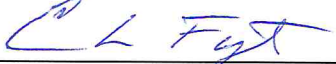
SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana on May 11, 2021 by a vote of 5 to 0.



ROGER HAWKINS, Mayor
Presiding Officer

Attest:



Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 11 day of May, 2021 at 6:10 p.m.



Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), this 11 day of May, 2021 at 6:10 p.m.



Roger Hawkins, Mayor

Attest:



Chris Fugate, Clerk-Treasurer

Prepared by: Joshua Stigdon, #29501-72
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