

ORDINANCE 21-25

**TO ESTABLISH THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND
SUPPORTING THE CITY OF BLOOMINGTON'S RECOVERY FROM
THE COVID-19 PANDEMIC**

WHEREAS, the American Rescue Plan Act of 2021 ("ARPA") was enacted by Congress on March 11, 2021; and

WHEREAS, the ARPA will provide an estimated \$350 billion in emergency funding directly to state and local governments for the purpose of supporting their recovery from the ravages of the COVID-19 pandemic; and

WHEREAS, the City of Bloomington ("City") has been allocated an estimated \$22.1 million under the ARPA ("ARPA Funds"), which will be distributed in two tranches of fifty percent (50%), one each in 2021 and 2022; and

WHEREAS, the ARPA Funds must be obligated by 2024 and ultimately spent by 2026; and

WHEREAS, the U.S. Department of the Treasury issued an Interim Final Rule ("Rule") providing guidance on allowable expenditures of the ARPA Funds; and

WHEREAS, the Indiana State Board of Accounts provided additional guidance to Indiana governmental units on accounting for use of ARPA funding in a Memorandum dated May 12, 2021 (RE "Accounting Processes for ARPA Subtitle M-Coronavirus State and Local Fiscal Recovery Funds"), which mandates that a recipient establish a separate account for its ARPA allocation ("Fund");

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Establishment of Fund. There is hereby established a fund to be known as the ARP Coronavirus Local Fiscal Recovery Fund in the Office of the Controller.

SECTION 2. Source of Revenues. The Fund shall consist of monies allocated to the City under the American Rescue Plan Act of 2021 and distributed to the City in 2021 and 2022.

SECTION 3. Purpose of Fund. The City shall appropriate and use the Fund only for the following purposes, as permitted by the ARPA, the U.S. Department of the Treasury, and the Rule:

- (A) To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the City that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- (C) For the provision of government services to the extent of the reduction in revenue of the City due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the City prior to the emergency, that being 2019; or
- (D) To make necessary investments in water, sewer, or broadband infrastructure.
- (E) For any other purpose as may be allowed by Congress or regulations issued by the Department of the Treasury.

SECTION 4. Plan. The Common Council shall adopt a plan which provides details for the use of the ARPA Funds.

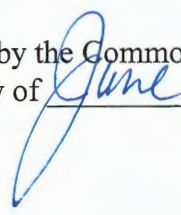
SECTION 5. Investment of Fund. The money in the Fund not currently needed to meet the obligations of the Fund shall be invested in the same manner as other public funds may be invested.

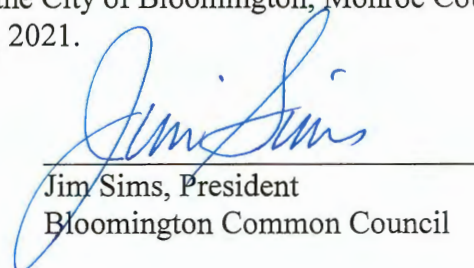
SECTION 6. Amendment and Termination. The Fund shall continue in this form until amended or terminated by ordinance.

SECTION 7. Severability. If any section, sentence, or provision of this Ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any other section, sentence, provision or application of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.


SECTION 8. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 16th day of June, 2021.





Jim Sims, President
Bloomington Common Council


ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 25 day of June, 2021.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 25 day of June, 2021.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance creates an ARP Coronavirus Local Fiscal Recovery Fund. The Fund may be used for the purposes permitted by the U.S. Department of the Treasury under its Interim Final Rule for the expenditure of ARPA funds, including: a) responding to the COVID-19 pandemic's negative economic impacts on households, small businesses, nonprofits, and industries such as tourism, travel, and hospitality; b) to provide premium pay to eligible workers of the City that are performing essential work, or providing grants to employers that have eligible workers who perform essential work; c) to fund government services to the extent of the reduction in City revenues due to the COVID-19 pandemic relative to revenues collected in the fiscal year prior to the emergency (2019); and/or d) to make necessary investments in water, sewer, or broadband infrastructure.

Note: At the June 16, 2021 Regular Session, the Council adopted Amendment 01, which updated references to the fund to be established to "ARP Coronavirus Local Fiscal Recovery Fund."

Distributed to: Clerk, Council Attorney, Legal, Mayor, Controller