

Resolution 2022-6

A Resolution of the Town Council Adopting a Plan for Distribution of the Proceeds of the Town's Grant from the American Rescue Plan Act of 2021

WHEREAS, the Town of Westport has been awarded a grant from the American Rescue Plan Act of 2021 (the "Act") in the amount of Three Hundred and Twenty-one Thousand, Five Hundred Dollars and Nine Cents (321,500.09) (the "Grant Funds"), half of which, or One Hundred and Sixty Thousand, Seven Hundred and Fifty Dollars and Five Cents (160,750.05) was received on August 30, 2021, and the remaining balance to be received in 2022.

The Town of Westport also received a sub-award from the Decatur County American Rescue Plan Act of 2021 in the amount of Fifty-Five Thousand Dollars on January 27, 2022. Should the 2022 distribution exceed the anticipated remaining balance, the excess amount is included in the "Plan" as indicated below; and,

WHEREAS, the Act requires a grant recipient to adopt a plan (the "Plan") to distribute the Grant Funds; and,

WHEREAS, the Town of Westport intends to use the Grant Funds to recover the extent of the reduction in revenue due to the COVID-19 public health emergency,

WHEREAS, The Final Rule from the US Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency, and the Town of Westport is allowed to use up to that amount, not to exceed the full grant amount, to fund "government services."

WHEREAS, The Plan is subject to amendments approved by the Westport Town Council (the "Council") as permitted the Act.

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, AND RESOLVED by the Town Council of the Town of Westport, as follows:

SECTION 1. Introduction:

The Town's Plan for distribution of the Grant Funds are as follows:

1. Payments identified in the Plan and future amendments to the Plan shall be authorized use of the Grant Funds.
2. The Plan may be amended to comply with the Act, any subsequent amendments to the Act, rules adopted by the U.S. Treasury Department including 31 CFR Part 35, or at the discretion of the Council, to the extent provided by the Act.
3. The payment of all Grant Funds and any subsequent Grant Funds received pursuant to the Act, shall be subject to appropriation by the Council.

4. The Plan's procedures and designated use for distribution of the Grant Funds from the Act are stated as follows in the sections below.

SECTION II. Recovering Lost Revenue Due to COVID-19:

1. The Town Council elects to use the "standard allowance" as indicated in the Final Rule by the US Treasury, up to the grant amount, not to exceed \$10 million on government services;
2. The list of permitted uses as listed on page 11 of the guide entitled *Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule* (the "Guide") issued by the US Department of Treasury in January 2022, and any future guidance released by the US Department of Treasury.
3. The Town Council shall exclude all ineligible uses listed in the "Restrictions on Use" section of the Guide as listed on page 41 and 42.
4. Funds are subject to change and amendments to the Plan for the use of Loss Revenue funds shall be considered by Council upon request from the Administration of subject to the Act itself.

SECTION III. Sub-Award for 2022 Stormwater Study:

1. The Town Council elects to use the \$55,000 grant awarded from the Decatur County American Rescue Plan Act of 2021 to pay Commonwealth Engineers, Inc. to complete a 2022 Stormwater study totaling \$55,000.
2. The list of permitted uses as listed on page 7 of the guide entitled *Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule* (the "Guide") issued by the US Department of Treasury in January 2022, and any future guidance released by the US Department of Treasury.
3. The Town Council shall exclude all ineligible uses listed in the "Restrictions on Use" section of the Guide as listed on page 41 and 42.
4. Funds are not subject to change based on the Terms and Conditions of the Decatur County Grant term document signed by Council President, Harry Pray III on January 24, 2022.

SECTION IV. Conclusion:

1. Pursuant to the Act, the Town shall only use Grant Funds obligated prior to December 31, 2024.
2. The period of performance for projects funded by the Grant Funds shall conclude on December 31, 2026; all projects funded by Grant Funds must be completed on or prior to the date.
3. This Plan is subject to amendments as more permitted users are determined by the Act, United States Treasury Department guidance, and as priorities for the Town develop.

4. This Resolution and Plan shall be in full force and effective upon passage and may be subsequently amended to conform with the Act.

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 13 day of June, 2022.

Ayes

Nays

Harry Gray III
Jim [unclear]
Jay Brindley

Presented to me by the Town Council of Westport, Indiana on this 13 day of June, 2022.

[Signature]
Gloria Alumbaugh
Clerk-Treasurer