

RESOLUTION NO. R2024-053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING PROJECT BUDGETS TO OBLIGATE AND EXPEND THE CITY'S ALLOCATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS IN ACCORDANCE WITH FEDERAL LAW AND GUIDANCE, TO MEET CURRENT CRITICAL NEEDS AND PRIORITIES AS IDENTIFIED IN THE CITY OF YUMA'S AMERICAN RESCUE PLAN ACT PROJECT LIST OF INTENDED USES

WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law, and established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund, which together make up the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program; and,

WHEREAS, the SLFRF program provides over \$350 billion in emergency funding and is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 in an effort to contain impacts on communities, residents, and businesses; and,

WHEREAS, the SLFRF program provides governments across the country with the necessary resources needed to fight the pandemic; maintain vital public services, even amid declines in revenue resulting from the crisis; and to build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and,

WHEREAS, in response to the pandemic the City of Yuma has had expenditures and anticipates future expenditures consistent with the United States Department of Treasury's guidance; and,

WHEREAS, the City of Yuma has been awarded and received a total of \$23,071,661; and,

WHEREAS, the City of Yuma accepted and agreed to expend its SLFRF allocation in accordance with Federal Law and guidance and to fund current critical needs and priorities; and,

WHEREAS, on April 6, 2022, City Council adopted Resolution R2022-012 approving the City's "ARPA Project List" outlining the City's intended uses of ARPA funds; and,

WHEREAS, SFLRF funds must be obligated by December 31, 2024 and spent by December 31, 2026; and,

WHEREAS, the original adopted project budgets included in the City's ARPA Project list were estimates. As projects were completed, some realized savings, others did not. After balancing all project budgets with actual costs, the accumulated residual net savings is \$928,473; and,

WHEREAS, the Yuma City Council has the authority to allocate SFLRF funds and residual savings to other compliant projects in accordance with Federal Law and guidance and to fund current critical needs and priorities; and,

WHEREAS, the residual net savings must be obligated by December 31, 2024, and spent by December 31, 2026;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: The American Rescue Plan Fund was established and will continue to be maintained separately from all other City funds to account for the revenue and expenditures of all ARPA funds for eligible uses as defined by the United States Department of Treasury's SLFRF Final Rule. Expenditures in this fund will continue to comply with and adhere to additional and amended guidelines as set forth by the federal government.

SECTION 2: The City Administrator shall continue administering the fund in accordance with the intended uses shown in the attached and incorporated City of Yuma "Amended" ARPA Project list, in accordance with the City Charter and Code of the City of Yuma, the laws of the State of Arizona, and all guidelines and requirements as set forth by the United States Department of Treasury.

SECTION 3: Expenditures in the fund can only be used for projects on the City Council's Amended ARPA Project list that obligated before December 31, 2024 and spent by December 31, 2026, and for eligible uses as defined by the United States Department of Treasury's SLFRF Final Rule. Expenditures in this fund will comply with and adhere to additional and amended guidelines as set forth by the federal government.

SECTION 4: Any additional budget amendments or modifications to the projects listed on the City of Yuma Amended ARPA Project List shall be approved by Resolution of the City Council although changes to amounts allocated to a particular project or projects may be accomplished administratively by the City Administrator if the accumulated amount is less than \$700,000.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney