

GENERAL ORDINANCE NO. 2, 2021

AN ORDINANCE ESTABLISHING A FUND FOR THE RECEIPT OF FEDERAL ASSISTANCE THROUGH THE AMERICAN RESCUE PLAN ACT OF 2021.

WHEREAS, the United States Congress recently passed the American Rescue Plan Act of 2021 which was subsequently enacted into law by the President of the United States (hereinafter “ARP”); and,

WHEREAS, the City of Terre Haute is anticipated to receive approximately \$38,230,515 as a result the passage of ARP and, as a result, the City must establish an appropriate fund in which said assistance shall be deposited;

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute that the *Terre Haute City Code* shall be modified as follows:

SECTION 1. There is created a new fund with the Controller’s Office that shall be entitled “ARP Grant Fund”, and the Controller has issued a fund number of 0199 with respect to these funds and such funds shall be non-reverting.

SECTION 2. *Terre Haute City Code* shall be modified with the insertion of the underlined text as follows:

CHAPTER 2

CITY ADMINISTRATION

ARTICLE 9. FUNDS AND FISCAL PROCEDURES

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Sec. 2-138-7 American Rescue Plan Act Non-Reverting Fund.

- a. A special non-reverting account, entitled American Rescue Plan Act Non-Reverting Fund is established to receive assistance associated with the passage and enactment of the American Rescue Plan Act of 2021.
- b. All funds received shall be subject to, and in accordance with, the State Examiner Directive 2021-1.
- c. Use of funds shall cover costs incurred by December 21, 2024 and permitted as follows:

- (1) To respond to the public health emergency with respect to the Coronavirus Disease 2019 (hereinafter "COVID-19") or its negative economic impacts, including assistance to households, small business, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - (2) 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;
 - (3) 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; or
 - (4) To make necessary investments in water, sewer, or broadband infrastructure.
- d. The funds shall be appropriated by the City's fiscal body before use.
 - e. All expenditure of funds shall be approved in accordance with applicable statutory requirements for any and all claims to be paid from the City's ARP Fund.
 - f. The Mayor will establish the plan, conditions and rules upon which the funds are to be requested based upon the input of an advisory committee. Said advisory committee shall be made up of two individuals selected by the President of the Common Council and three individuals selected by the Mayor.
 - g. Any unused funds shall be paid back to the United States Treasury when required.
 - h. The Controller shall keep accurate and complete financial records of the receipt and expenditure of any and all funds deposited and paid from this new Fund.
 - i. No money received in the ARP fund shall be used for any type of deposit into any pension fund.

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SECTION 3. The illegality or invalidity, for any reason, of any of the sections of this ordinance, or parts thereof, shall invalidate only such section or sections as are so determined to be illegal or invalid, any such invalidity shall have no effect on the remaining sections of this ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after the date of its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and upon publication as required by law and its application shall be retroactive to January 01, 2020.

Introduced by: Cheryl Loudermilk Cheryl Loudermilk, Councilperson

Passed in open Council this 6TH day of MAY, 2021.

O. Earl Elliott O. Earl Elliott, President

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 7TH day of MAY, 2021.

Michelle L. Edwards Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 7TH day of MAY, 2021.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk