

TOWN OF JUPITER

Accepting ARPA Funds and Amending the FY21 Budget



DATE:	September 9, 2021
TO:	The Honorable Mayor Wodraska Members of the Town Council
TOWN MANAGER	Matt Benoit, Town Manager
SENIOR DIRECTOR	Nikki Capenito, Senior Director Internal Customer Service
FROM:	Scott Reynolds, Budget Manager
SUBJECT:	Accepting ARPA funds and Amending to FY2021 Budget for the use of funds though Resolution 104-21

EXECUTIVE SUMMARY:

Staff seeks Town Council approval of Resolution 104-21 to accept the allocation of funds in the amount of \$3,795,479 from the Federal Government through the American Rescue Plan Act. The proposed resolution will also amend Resolution 71-20, the Town's Budget for Fiscal Year 2020 - 2021 to allocate American Rescue Plan Act Funds in the amount of \$3,795,479 for the Seminole Ave Stomwater Basin Improvement project.

On March 11, 2021, the President signed into law the American Rescue Plan Act, which among other items within the bill provides funding to state and local government agencies affected by the Covid-19 pandemic.

The Town, according to estimates, will receive \$7,590,958 though the American Rescue Plan. On May 18, 2021 the Town received its first tranche of funds (\$3,795,479). The Town has established a separate fund to receive these deposits and track how the funds are utilized for auditing and reporting purposes.

The use of the American Rescue Plan Act funding for stomwater utility infrastructure is deemed allowable as indicated on page 7 section d) of the "Interim Final Rule" and page 32 section C5.6 "Stormwater" of the Department of Treasury's Compliance and Reporting guidance document.

RECOMMENDATION:

Staff recommends approval of Resolution 104-21 accepting ARPA funds and amending the fiscal year 2021 budget for funding of the Seminole Ave Stomwater Basin Improvement project in the amount of \$3,795,479.

Strategic Priority:

Fiscal Responsibility

Attachments:

Resolution 104-21

Funding Source:

Approved in Budget	\$	Sources:
Additional Funding Required	\$3,795,479	Sources: ARPA

**If you have additional questions please contact Scott Reynolds at scottr@jupiter.fl.us or call at 561-741-2327

RESOLUTION NO. 104-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, ACCEPTING FUNDING FROM THE AMERICAN RESCUE PLAN ACT AND AMENDING RESOLUTION 71-20, WHICH ADOPTED THE TOWN'S BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021 SO AS TO APPROPRIATE THE FUNDS RECEIVED BY THE TOWN FROM THE AMERICAN RESCUE PLAN ACT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 11, 2021, Joe Biden, the President of the United States of America signed into law the American Rescue Plan Act (ARPA) which provides financial assistance to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, approximately \$350 billion of The ARPA funding was allotted to assist the United States' state, local, tribal, and territory governments in responding to the coronavirus pandemic; and

WHEREAS, Sections 602(b) and 603(b) of the Social Security Act as added by section 9901 of the American Rescue Plan Act, Pub. L No. 117-2 (March 11, 2021) authorized the Department of the Treasury to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the Town of Jupiter (the Town) is expected to receive \$7,590,958 in funding; such funding to be received in two tranches, with approximately one half within 60 days of the plan passage, and the remaining funding approximately 12 months later, and

WHEREAS, the Town has received the first tranche of ARPA funds from the United States Department of Treasury in the amount of \$3,795,479; and

WHEREAS, pursuant to Resolution 71-20, the Town Council adopted its Fiscal Year 2020-2021 Budget and Pay Plan on September 22, 2020; and

WHEREAS, the Town Manager recognizes that periodic modifications to the adopted budget for the fiscal year are necessary for fiscal management purposes and to implement changes to the Town Council's fiscal policy which have occurred after the adoption of the Fiscal Year 2020 - 2021 Budget; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:

SECTION 1. The Town Council acknowledges the receipt of, and does hereby accept the allocation of funds in the amount of \$3,795,479 allocated to it by the ARPA; and such funds will be placed in a special revenue fund for the purpose of tracking all approved transactional activities.

SECTION 2. The Town Council hereby amends Resolution 71-20, the Town's Budget for Fiscal Year 2020 - 2021 to allocate ARPA funds in the amount of \$3,795,479 to the Seminole Avenue Stormwater Basin Improvement Project.

SECTION 3. To the extent not amended herein, all other provisions of the Annual Budget for Fiscal Year Ending September 30, 2021 remain in full force and effect.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

SECTION 5. This Resolution shall become effective immediately upon execution.