

RESOLUTION NUMBER 2021-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA, AUTHORIZING SUBMITTAL OF AN APPLICATION FOR, AND ACCEPTANCE OF, AMERICAN RESCUE PLAN ACT (“ARPA”) FUNDING; AUTHORIZING THE TOWN MANAGER OR DESIGNEE TO EXECUTE AND SUBMIT DOCUMENTS REQUIRED TO OBTAIN SUCH FUNDING; AND AUTHORIZING EXPENDITURE OF CERTAIN ARPA FUNDS FOR SEWER SYSTEM IMPROVEMENTS.

WHEREAS, the federal American Rescue Plan (2021) Act) (“ARPA”) was signed into law on March 11, 2021, and continues many programs started by the CARES Act (2020) and the Consolidated Appropriations Act (2021), by adding new phases, allocations and guidance to address issues related to the continuing COVID-19 pandemic and recovery efforts. ARPA provides \$350 billion funding to state, local, territorial and Tribal governments (\$1.2 billion in Arizona); and

WHEREAS, the Town of Paradise Valley (the “Town”) is considered a “Non-entitlement unit” (“NEU”) of local government and receives its allocation from a direct pass-through from the State of Arizona, which must distribute \$227 million to NEUs within 30 days of receipt; and

WHEREAS, the Town’s individual NEU initial allocation is \$4,888,467.26; and

WHEREAS, NEU ARPA funds may only be used for: (i) supporting public health expenditures, (ii) addressing the negative economic impacts caused by the public health emergency, (iii) replacing lost public sector revenue, and providing premium pay for essential workers, and (iv) investing in water, sewer and broadband infrastructure; and

WHEREAS, NEU ARPA expenditures must be incurred and obligated from March 3, 2021, to December 31, 2024, with the related performance period ending December 31, 2026; and

WHEREAS, the Town seeks to file the required application for and accept its ARPA allocation before the State’s distribution period expires; and

WHEREAS, a pre-requisite to obtaining ARPA funding is for an authorized Town representative to execute, submit and certify a series of documents to the U.S. Department of the Treasury through the State of Arizona’s e-civis system; and

WHEREAS, the Town desires to designate the Town’s representatives for the purpose of taking the necessary steps to apply for and accept the ARPA funding.

NOW THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Paradise Valley as follows:

Section 1. The Town Manager, or the Town Manager's authorized designee, is hereby authorized as the agent of the Town to conduct all negotiations, and execute and submit all documents that may be necessary to obtain ARPA funding, including but not limited to, applications, agreements, amendments, expenditure and procurement documentation, and any related actions.

Section 2. Except as specifically set forth herein, specific expenditures of ARPA funds must be authorized by the Town Council.

Section 3. The Town Council hereby authorizes expenditures of ARPA funds in an amount not to exceed \$350,000 for sewer manhole rehabilitation and sewer lining/point repairs.

Section 4. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the affirmative vote of the Paradise Valley Town Council this 24th day of June, 2021.

Jerry Bien-Willner, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM

Andrew J. McGuire, Town Attorney