

## RESOLUTION NO. 2539

### A RESOLUTION APPROVING THE CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS AWARD OF THE AMERICAN RESCUE PLAN ACT OF 2021, AND RELATED MATTERS.

#### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That in January 2020 the World Health Organization declared that the spread of the 2019 Novel Coronavirus (COVID-19) virus constituted a public health emergency of international concern, and that the Secretary of Health and Human Services, pursuant to section 319 of the Public Health Service Act, did determine and declare that a public health emergency exists in the United States.
2. That in March 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon, finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under Oregon Revised Statutes (ORS) Chapter 401.025(1), and issued a series of Executive Orders with the intent to mitigate the spread and impact of COVID-19 in Oregon.
3. That in response to the threat to public health and safety and the significant ongoing negative economic impact of the COVID-19 outbreak, the United States Congress in 2020 passed a series of funding aid, relief, assistance and recovery measures, including the *Coronavirus Preparedness and Response Supplemental Appropriations Act*, the *Families First Coronavirus Response Act*, the *Coronavirus Aid, Relief, and Economic Security (CARES) Act*, the *Paycheck Protection Program and Health Care Enhancement Act*, and the year-end *Consolidated Appropriations, Coronavirus Response and Relief Supplemental Appropriations Act*.
4. That United States Congress on March 11, 2021 passed the *American Rescue Plan Act of 2021*, (ARPA) which provides an additional \$1.9 trillion of federal relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses, including additional direct stimulus payments, tax credits, vaccination programs, homeowner assistance, extended unemployment benefits, fiscal relief funds to state and local governments, and other program areas aimed at mitigating the continuing effects of the pandemic.

5. That one of provisions of the ARPA established the \$362 billion Coronavirus State and Local Fiscal Recovery Fund (Fiscal Relief Funds) providing direct aid to state and local governments aimed at mitigating the continuing economic impact of the COVID-19 pandemic.

6. That for purposes of the Fiscal Relief Funds distribution channels, the City is considered non-entitlement unit of local government (NEU), as defined by the Housing and Community Development Act 42 U.S.C. 5302(a)(5) as typically serving less than 50,000 constituents, and therefore will only be eligible to receive the Fiscal Relief Funds through the State of Oregon rather than directly from the U.S. Department of the Treasury.

7. That based on current preliminary determinations the City is expected to be eligible for approximately \$3.2 million of the Fiscal Relief Funds from ARPA.

8. That for receipt of the Fiscal Relief Funds the U.S. Department of the Treasury has issued extensive regulatory requirements of representations, certifications, reporting, and other documentation which will be required from both the State and the City, prior to the City receiving any Fiscal Relief Funds distribution.

9. That ORS 190.110 provides the authority for units of local governments to enter into Intergovernmental Agreements (IGA) for the performance of any or all functions and activities that a party to the agreement, its officers, or agents may have the authority to perform.

10. That the City desires to enter into the necessary and sufficient agreements with both the U.S. Department of the Treasury and the State of Oregon for recipient of ARPA Fiscal Relief Funds, and that doing so is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. That the City of Troutdale hereby certifies that for purposes of Section 603(b)(2)(B) of the Social Security Act as added by section 9901 of the American Rescue Plan Act, that it is non-entitlement unit of local government which is eligible and does hereby elect to receive the distribution from Coronavirus Local Fiscal Recovery Fund.

Section 2. That COVID-19 pandemic has resulted in an unprecedented interruption of services impact on the national and local economy and to the resources necessary respond to the public health emergency and its negative economic impacts.

Section 3. That based on the findings above the City Council declares the receipt and use of the Coronavirus Local Fiscal Recovery Funds serves the public interest, and is necessary, desirable, and prudent in the support of mitigating the continuing effects of the COVID-19 pandemic and support of the recovery from its negative economic impacts.

Section 4. That as grantee, recipient, or subrecipient, the City of Troutdale accepts the award of Coronavirus Local Fiscal Recovery Funds allocation up to the maximum allowed by the terms and conditions of the American Rescue Plan Act, estimated to be approximately \$3,200,000 and subject to final determination.

Section 5. That the City Council authorizes and directs the City Manager, Ray Young, and Finance Director, Erich Mueller (each an "Authorized Officer") to execute on behalf of the City of Troutdale any recipient, subrecipient or grantee agreements with either or both the State of Oregon and U.S. Department of the Treasury, and without further action by the City Council each Authorized Officer is hereby authorized, empowered and directed to execute any and all other required and necessary documents to implement the intent of the agreements, the American Rescue Plan Act Coronavirus Local Fiscal Recovery Funds, and this resolution.

Section 6. That the Authorized Officer is authorized and directed to manage the Coronavirus Local Fiscal Recovery Funds relief package programs and such other measures as are imminently necessary for the protection of life or property, as may be deemed necessary under the evolving circumstances and compliance requirements.

Section 7. That further, consistent with intent of the agreements, and in the best interest of the City, the Authorized Officer is authorized to determine, execute, acknowledge and deliver any subsequent changes, addendums, certificates, exhibits, representations, extensions, revisions, modification, or successor documents of any agreements, or any other instrument and without further action by the City Council, and the execution thereof by any such Authorized Officer shall be conclusive as to such determination.

Section 8. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and the agreements and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 9. This Resolution shall take effect immediately upon adoption.

**YEAS: 6**  
**NAYS: 0**  
**ABSTAINED: 0**



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**Randy Lauer, Mayor**  
**Date: June 9, 2021**



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**Sarah Skroch, City Recorder**  
**Adopted: June 8, 2021**