

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
REGARDING THE RECEIPT AND USE OF CORONAVIRUS STATE AND LOCAL
FISCAL RECOVERY FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021**

WHEREAS, , on March 11, 2021, President Biden signed into law HR 1319, the American Rescue Plan Act of 2021 ("ARPA"), which provides financial assistance to individuals, businesses, and state and local government agencies to assist in the economic recovery from the COVID-19 pandemic; and

WHEREAS, ARPA includes a provision entitled "Coronavirus State and Local Fiscal Recovery Funds" ("LRF") that includes \$350 billion in funding for state and local governments of which \$65 billion is dedicated to local government agencies; and

WHEREAS, the provisions in LRF provide flexibility for each government to meet local needs in seven areas: 1) Replace lost public sector revenue 2) Government Services such as roadway construction and maintenance, as well as other infrastructure related to government administration, staff, and administrative facilities; provision of police and other public safety services 3) supporting public health response and economic impacts from the pandemic 4) Public Sector Capacity Enhancements - Public Safety, Public Health, and Human Services 5) Capital Expenditures related to response to public health and negative economic impacts 6) provide premium pay for essential workers; 7) Water & Sewer Infrastructure necessary investments in water and sewer infrastructure; and

WHEREAS the Town of Atherton ("Town") is classified as a non-entitlement unit agency within the provisions of LRF and received its allocation of \$1,707,322 divided in two equal payments (tranches) of \$853,661, with the first payment paid on July 13, 2021; and

WHEREAS the US Treasury Department ("Treasury") is responsible for administration and distribution of LRF funds and issued its Final Rule (31 CFR Part 35, RIN 1505-AC77) ("IFR"), that establishes the provisions for the use of the LRF funds; and

WHEREAS staff has segregated these funds within the Town's General Fund and they will be allocated as part of the eligible expenses (past and present) as these funds may be used to respond to the public health emergency with respect to COVID-19 as recommended for project and expenditures incurred by the Town; and

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

1. The Town shall use the funds as outlined in the Town of Atherton American Rescue Plan Expenditures and Project List (Exhibit A).

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I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 21st day of June, 2023, by the following vote:

AYES:	Council Members:
NOES:	Council Members:
ABSENT:	Council Members:
ABSTAIN:	Council Members:

Bill Widmer, MAYOR
Town of Atherton

ATTEST:

Anthony Suber, City Clerk

APPROVED AS TO FORM

Mona Ebrahimi, City Attorney

EXHIBIT "A"

THE CITY COUNCIL OF THE TOWN OF ATHERTON DOES HEREBY RESOLVE AS FOLLOWS:

The recommendation of projects and expenditures to apply towards ARPA reimbursement to the General Fund for allocations of expenditure appropriations:

1. Town Center Project Construction COVID related delays: \$925,000 (**Capital Expenditures related to response**)
2. Police Technology: The Town's Axon Agreements for tasers, incorporating new integrated and transparency technologies for body cameras, interview cameras, and fleet vehicles. This will be part of a multi-year agreement that includes licensing, storage, and technology upgrades. The multi-year, integrated system agreement will represent an overall long-term savings to the Town and will vastly improve staff efficiency and data transparency- 1-year worth of cost - \$96,000. (**Government Services-Police and Public Health Safety**)
3. Town administrative Offices & Park facilities Generator: \$200,000 (**Government Services-Police and Public Health Safety**)
4. Drainage projects necessary to assist in heavy storm mitigation: \$486,322 (**Government Services-Police and Public Health Safety**)

ARPA funds are non-recurring so their use should be applied primarily to non-recurring expenditures (i.e. one-time purchases or infrastructure).