

RESOLUTION NO. 2022-056

WHEREAS, on June 10, 2021, the City received its payment of American Rescue Plan Act (“ARPA”) Coronavirus Local Fiscal Recovery Funds totaling \$17,360,343.50; and

WHEREAS, on July 20, 2021, by Resolution No. 2021-456, the Fiscal Year 2020-21 Operating Budget was amended to establish an American Rescue Plan Fiscal Recovery Special Fund (a grant fund) to account for and track revenues and expenditures associated with the Coronavirus Local Fiscal Recovery Funds to ensure compliance with the terms of the funding; and

WHEREAS, on October 19, 2021, by Resolution No. 2021-763, City Council approved and adopted the American Rescue Plan Funding Plan for the use of the Coronavirus Local Fiscal Recovery Funds, which included expending the funding on “job training”; and

WHEREAS, in January 2022, the U.S. Treasury issued its Final Rule concerning the State and Local Fiscal Recovery Funds (“SLFRF”) Program, concerning how States and Cities could spend their allocations under the ARPA; and

WHEREAS, the grant includes a spending category for replacing lost public sector revenue, specifically the SLFRF funding may be used by the recipient to pay for “government services” in an amount equal to the revenue loss experienced by the recipient due to the COVID-19 public health emergency; and

WHEREAS, under the Final Rule, a recipient must elect how to replace its lost revenue—either by a “standard allowance” of \$10,000,000.00 or by calculating the recipient’s actual revenue loss according to a specific formula articulated in the Final Rule; and

WHEREAS, City staff has calculated the City’s actual revenue loss under said formula and it is in the City’s best interest to elect the “standard allowance” approach; and

WHEREAS, McLennan Community College is uniquely suited to assist the City in educational and job training efforts in the Waco community,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:

That the “standard allowance” under the American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) Program to replace lost public sector revenue of up to \$10,000,000.00 to spend on government services through the period of performance is hereby elected by the City of Waco, Texas.

That the City’s American Rescue Plan Funding Plan (the “Plan”) is hereby amended to align the City’s usage of its existing and future ARPA funds with the U.S. Treasury’s SLFRF Program Final Rule (issued in January 2022), and is attached hereto as “Exhibit A.”

That an interlocal agreement with McLennan Community College (“MCC”) to assist with

MCC's lost revenue due to the public health emergency related to the Coronavirus disease ("COVID-19") for an amount not to exceed \$1,000,000.00, is hereby approved.

That the City Manager is hereby authorized to execute any documents in connection therewith.

That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this 1st day of February 2022.

Dillon Meek

Dillon Meek, Mayor
City of Waco, Texas

ATTEST:

Patricia W. Ervin

Patricia Ervin, Interim City Secretary



APPROVED AS TO FORM & LEGALITY:

Jennifer Richie ACA FOR

Jennifer Richie, City Attorney

EXHIBIT A

| Projects | American Rescue Plan Act - Final Rule Funding Plan | | | | |
|--|--|--|------------------------------|--------------------------|-------------|
| | Replacing Lost Public Sector Revenue | Responding to Public Health and Economic Impacts of COVID-19 | Water & Sewer Infrastructure | Broadband Infrastructure | Premium Pay |
| Utility Generators - Water and WMARSS | \$ 8,000,000 | | \$ 2,000,000 | | |
| Community Center Resiliency (Generators for Dewey, South Waco and the Multi-Purpose Center) | \$ 1,000,000 | | | | |
| MHMR Crisis Hub | | \$ 3,000,000 | | | |
| Public Broadband | | | | \$ 400,000 | |
| Waco-McLennan County Public Health District Response (Additional Resources beyond other grant awards for this purpose) | | \$ 600,000 | | | |
| New Affordable Housing | | \$ 4,300,000 | | | |
| Home Rehabilitation | | \$ 3,100,000 | | | |
| Revolving Loan and Grant Program - Small Businesses and Nonprofits (501(c)(3) or 501(c)(19)) | | \$ 2,000,000 | | | |
| Down Payment Assistance | | \$ 1,850,000 | | | |
| Job Training - Includes funding for McLennan Community College | \$ 1,000,000 | \$ 500,000 | | | |
| Housing Bridge | | \$ 1,000,000 | | | |
| Floodplain Housing Assistance | | \$ 500,000 | | | |
| Artist Support | | \$ 250,000 | | | |
| Waco Family Medicine Expansion | | \$ 2,500,000 | | | |
| Contingency - Allocated proportionally to the three primary categories of funding and includes funding for administrative assistance | | \$ 1,777,515 | \$ 906,896 | \$ 36,276 | |
| Total | \$ 10,000,000 | \$ 21,377,515 | \$ 2,906,896 | \$ 436,276 | \$ - |

Note 1: Project names are as listed in the original funding plan approved via Resolution No. 2021-763.

Note 2: The City of Waco is electing to use the "standard allowance" of \$10 million to replace lost public sector revenue to spend on government services through the period of performance.

Note 3: Funding for the Utility Generators is reduced from \$10M to \$2M under the Water & Sewer Infrastructure category with the remaining \$8M allocated to Lost Revenue category.

American Rescue Plan Act - Final Rule Funding Plan

Act Categories

| Projects | Act Categories | | | Premium Pay |
|--|--------------------------------------|--|---|-------------|
| | Replacing Lost Public Sector Revenue | Responding to Public Health and Economic Impacts of COVID-19 | Water, Sewer & Broadband Infrastructure | |
| Utility Generators - Water and WMARSS | \$ 8,000,000 | | \$ 2,000,000 | |
| Community Center Resiliency (Generators for Dewey, South Waco and the Multi-Purpose Center) | \$ 1,000,000 | | | |
| MHMR Crisis Hub | | \$ 3,000,000 | | |
| Public Broadband | | | \$ 400,000 | |
| Waco-McLennan County Public Health District Response (Additional Resources beyond other grant awards for this purpose) | | \$ 600,000 | | |
| New Affordable Housing | | \$ 4,300,000 | | |
| Home Rehabilitation | | \$ 3,100,000 | | |
| Revolving Loan and Grant Program - Small Businesses and Nonprofits (501(c)(3) or 501(c)(19)) | | \$ 2,000,000 | | |
| Down Payment Assistance | | \$ 1,850,000 | | |
| Job Training - Includes funding for McLennan Community College | \$ 1,000,000 | \$ 500,000 | | |
| Housing Bridge | | \$ 1,000,000 | | |
| Floodplain Housing Assistance | | \$ 500,000 | | |
| Artist Support | | \$ 250,000 | | |
| Waco Family Medicine Expansion | | \$ 2,500,000 | | |
| Contingency - Allocated proportionally to the three primary categories of funding and includes funding for administrative assistance | | \$ 1,777,515 | \$ 943,172 | |
| Total | \$ 10,000,000 | \$ 21,377,515 | \$ 3,343,172 | \$ - |

Note 1: Project names are as listed in the original funding plan approved via Resolution No. 2021-763.

Note 2: The City of Waco is electing to use the "standard allowance" of \$10 million to replace lost public sector revenue to spend on

Note 3: Funding for the Utility Generators is reduced from \$10M to \$2M under the Water, Sewer & Broadband Infrastructure category with the remaining \$8M allocated to Lost Revenue category.