

## **RESOLUTION NO. 100-21**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF RIVIERA BEACH (CITY) FOR THE AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared that a public health emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-252 declaring a State of Emergency for the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 13, 2020, pursuant to Section 252.38(3)(a)(5), Florida Statutes, Palm Beach County declared a State of Emergency as a result of COVID-19, and the declaration has been extended through and beyond this date in accordance with applicable law; and

**WHEREAS**, on March 11, 2021 the American Rescue Plan Act of 2021 (“ARPA”) was signed into law; and

**WHEREAS**, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act, which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic (“Fiscal Recovery Funds”); and

**WHEREAS**, following the enactment of ARPA, the U.S. Department of the Treasury (“Treasury” or “Secretary”) released formal and informal guidance regarding implementation of ARPA, including the disbursement and expenditure of Fiscal Recovery Funds, including Treasury Interim Final Rule, 31 CFR pt. 35, 2021, attending rule guidance published in the Federal Register, Volume 86, No 93,1, and informal guidance made publicly available by Treasury, which may be amended, superseded, or replaced during the term of this Agreement (“Treasury Guidance”); and

**WHEREAS**, ARPA allocated \$7,105,927,713.00 for making payments to metropolitan cities, non-entitlement units of local government, and counties in Florida, 21% of which is to be paid directly to metropolitan cities in Florida, 59% of which was paid directly to counties in Florida, and 20% of which is to be paid to the State of Florida for distribution to non-entitlement units of local government; and

**WHEREAS**, the Secretary disbursed \$5,689,502,590.00 of these funds directly to metropolitan cities and counties; and

**RESOLUTION NO. 100-21**  
**Page 2 of 3**

**WHEREAS**, a remaining balance of \$1,416,425,123.00 was reserved for the State of Florida to disburse to non-entitlement units of local government; and

**WHEREAS**, the State of Florida, Division of Emergency Management (Division) has received these funds from the Secretary through the State of Florida in accordance with the provisions of ARPA; and

**WHEREAS**, pursuant to the provisions of ARPA, the Division is the state entity responsible for disbursing the funds to the Recipient under this Agreement; and

**WHEREAS**, the City of Riviera Beach is fully qualified and eligible to receive this funding in accordance with ARPA for the purposes identified therein.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Riviera Beach, Florida:

**SECTION 1.** That the City Manager is authorized to execute the Agreement with the State of Florida, Division of Emergency Management.

**SECTION 2.** This Resolution shall take effect upon its passage and approval by the City Council.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

**RESOLUTION NO. 100-21**  
**Page 3 of 3**

**APPROVED:**

\_\_\_\_\_  
**RONNIE L. FELDER**  
**MAYOR**

\_\_\_\_\_  
**SHIRLEY D. LANIER**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**TRADRICK MCCOY**  
**COUNCILPERSON**

\_\_\_\_\_  
**JULIA A. BOTEL, Ed.D**  
**COUNCILPERSON**

\_\_\_\_\_  
**DOUGLAS A. LAWSON**  
**COUNCILPERSON**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**T. MCCOY:** \_\_\_\_\_

**K. MILLER-ANDERSON:** \_\_\_\_\_

**S. LANIER:** \_\_\_\_\_

**J. BOTEL:** \_\_\_\_\_

**D. LAWSON:** \_\_\_\_\_

**REVIEWED AS TO LEGAL SUFFICIENCY**

\_\_\_\_\_  
**DAWN S. WYNN, CITY ATTORNEY**

**DATE:** \_\_\_\_\_