

**RESOLUTION NO. 3738-22**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
RESCINDING RESOLUTION NO. 3682-21 AND APPROVING THE RECEIPT AND  
REPORTING OF 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” (“SLFRF”) 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 SLFRF provide flexibility for each government to meet local needs in four areas: 1) supporting public response to and economic impacts from the pandemic; 2) provide premium pay for essential workers; 3) replace lost public sector revenues; and 4) invest in water, wastewater and broadband infrastructure; and

**WHEREAS**, the Town is classified as a non-entitlement unit agency within the provisions of SLFRF and will receive \$6,489,594 divided in two equal payments (tranches) of \$3,244,797 with the first payment received in July 2021 and the second payment to be received in July 2022; and

**WHEREAS**, the Town Council approved Resolution No. 3682-21 regarding the receipt and use of SLFRF funds on June 16, 2021, in anticipation of the receipt of the first tranche; and

**WHEREAS**, the US Treasury Department (“Treasury”) is responsible for administration and distribution of SLFRF funds and issued its Interim Final Rule (“IFR”) on May 10, 2021, its Final Rule (“FR”) (31CFR Part 35), and its Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds version 3.0 dated February 28, 2022 (“CRG”) that establishes the provisions and reporting requirements for the use of the SLFRF funds; and

**WHEREAS**, the FR specifies that every local agency is eligible to claim a minimum allowance of Ten Million Dollars (\$10,000,000) for revenue replacement resulting from revenue losses incurred during the pandemic, without regard to actual revenue losses so incurred, that reduces the reporting and compliance requirements on the local agency; and

**WHEREAS**, it is in the Town’s best interest to stipulate to the standard allowance of revenue loss in that the standard allowance exceeds the Town’s federal relief funds received under the SLFRF allocated to the Town.

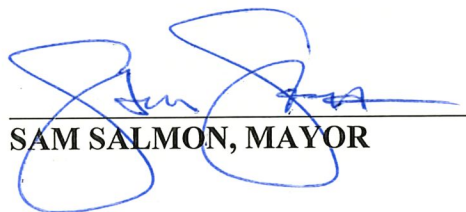
**NOW, THEREFORE, BE IT RESOLVED** by the Town Council as follows:

1. Resolution No. 3682-21 is hereby rescinded.

2. The Town shall report the use of ARPA SLFRF funds to the US Treasury Department in the “Revenue Replacement – 6.1 Provision of Government Services” expenditure category based upon the cost of general government expenditures incurred in the Town’s General Fund from the period on or after July 1, 2021 through December 31, 2024 until all such funds are exhausted.
3. The Town Manager, or his/her designee, is authorized to apply for and receive the Town’s allocation of SLFRF funds from the California Department of Finance.
4. The Town Manager, or his/her designee, is authorized to file all necessary reports with the US Treasury Department in compliance with the IFR, FR and the CRG.
5. The SLFRF funds received from Treasury shall be deposited into a Special Revenue Fund for tracking use of said funds in accordance with the provisions of ARPA and the FR.
6. The FY 2021-23 budget shall incorporate the following:
  - a. Revenues of \$6,489,594 in a new Special Revenue Fund entitled “ARPA – Coronavirus Local Relief Funds” (ARPA Fund #115).
  - b. Transfers from the ARPA Special Revenue Fund to the General Fund (#10) in the amount of \$3,244,797 in FY 2021-22 substantiated by an equal amount of expenditures incurred in the Town’s General Fund from July 1, 2021 to March 31, 2022 for the provision of general government services as defined in the FR.
  - c. Transfers from the ARPA Special Revenue Fund to the General Fund (#10) in the amount of \$3,244,797 in FY 2022-23 substantiated by an equal amount of expenditures incurred in the Town’s General Fund from April 1, 2022 to March 31, 2023 for the provision of general government services as defined in the FR.


**PASSED, APPROVED, AND ADOPTED this 20th day of April 2022, by the following vote:**

**AYES: COUNCILMEMBERS FUDGE, REYNOZA, VICE MAYOR LEMUS AND MAYOR SALMON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**


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**SAM SALMON, MAYOR**

**ATTEST:**  
  


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**IRENE CAMACHO-WERBY, TOWN CLERK**