

RESOLUTION NO. 4360-23

A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE CITY OF OVIEDO'S AMERICAN RESCUE PLAN ACT FUNDING PLAN FOR THE 2021-2024 CALENDAR YEARS BEGINNING MARCH 3, 2021, AND ENDING DECEMBER 31, 2024; APPROVING A BUDGET AMENDMENT FOR THE 2022-2023 FISCAL YEAR ANNUAL BUDGET; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS AND INTENT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, On March 22, 2021, President Joseph R. Biden Jr. signed the American Rescue Plan Act of 2021 into law; and

WHEREAS, the American Rescue Plan Act provides \$362 billion in aid through the Coronavirus State and Local Fiscal Recovery Fund to address the economic effects of COVID-19 on State, Local and Tribal Governments in the United States; and

WHEREAS, the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund outlines the usage of funds in broad terms and conveys' details on how expenditures may be made subject to specific guidance issued by the U.S. Department of the Treasury; and

WHEREAS, on January 6, 2022 the United States Department of the Treasury issued the Final Rule serving as updated guidance on how recipients may expend funds distributed in accordance with the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund; and

WHEREAS, the guidance provided by the United States Department of the Treasury Final Rule ensures governments have the direction they need to respond to the ongoing pandemic and recover from its economic effects; and

WHEREAS, the City of Oviedo received the total funding of \$20,965,734; and

WHEREAS, at the October 25, 2021 Work Session, the Oviedo City Council reviewed a proposed American Rescue Plan Act Funding Plan; and

WHEREAS, from time-to-time circumstances and events may require the City to amend the American Rescue Plan Act Funding Plan; and

WHEREAS, the City Council, in its judgment and discretion, has the authority in the future to adjust the American Rescue Plan Act Funding Plan to more closely coincide with actual and expected events; and

WHEREAS, at the July 7, 2022 Work Session, the Oviedo City Council gave consensus to amend the ARPA Funding Plan to utilize the funding for additional capital items in the FY 2022-2023 budget; and

WHEREAS, at the August 22, 2022 Work Session, the Oviedo City Council gave consensus to amend the amend the ARPA Funding Plan to utilize the funding for additional capital items in the FY 2022-2023 budget; and

WHEREAS, at the October 17, 2022 the Oviedo City Council Adopted Resolution 4255-22 amending the ARPA Funding Plan; and

WHEREAS, at the March 27, 2023 City Council Work Session City Staff presented its plan for future proposed utility improvements, including the usage of ARPA funding; and

WHEREAS, the City of Oviedo, Florida intends to utilize all American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds in accordance with the U.S. Department of the Treasury's Final Rule and any subsequent guidance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative/Administrative Intent and Findings. The intent and findings set forth in the above recitals (whereas clauses) are hereby adopted as the legislative and administrative intent and findings relative to the provisions of this Resolution.

SECTION 2. Adoption of American Rescue Plan Funding Plan. The City Council hereby amends the American Rescue Plan Act Funding Plan of the City of Oviedo beginning March 3, 2021 and terminating on December 31, 2024 provided in Exhibit 1.

SECTION 3. Approval of Budget Amendment. The City Council hereby approves the Budget Amendment for the 2022-2023 Fiscal Year Annual Budget provided in Exhibit 2.

SECTION 4. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 5. Savings. The prior actions of the City of Oviedo relating to the adoption of City tax rates and related budgetary actions and activities are hereby ratified and affirmed.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 21st day of August, 2023.

MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:

ELIANNE RIVERA
CITY CLERK