### Navigating the American Rescue Plan Florida League of Cities





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## NAVIGATING THE AMERICAN RESCUE PLAN

- Marlon Brown, City Manager, City of Sarasota (Metro City) marlon.brown@sarasotafl.gov
- Ann Toney-Deal, City Manager, City of Seminole atoneydeal@myseminole.com
- William Whitson, City Manager, City of Flagler Beach wwhitson@cityofflaglerbeach.com
- Courtney Barker, City Manager, City of Satellite Beach <u>cbarker@satellitebeach.org</u>
- Al Butler, Director of Support Services, City of Ocoee abutler@ocoee.org

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# S. 3011 - State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act

- Key Features:
  - Permits eligible government entities to spend the greater of \$10
    million or 30% of their total fiscal relief funding on infrastructure and
    other new categories, some of which would be created by the
    Infrastructure Investment and Jobs Act
  - Does not increase spending, does not place mandates on state or local governments, and does not score
- Where is S. 3011 in the process?
  - Passed Senate and now in House

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#### UNDERSTANDING ARPA

- Signed into law in March of 2021 for emergency stabilization and economic recovery
- ARPA is being administered by the U.S. Dept. of the Treasury
- ARPA creates the Local Fiscal Recovery Funds which provide direct funding to all municipalities in two tranches
- Splits cities into two categories: metropolitan cities and non-entitlement units
  - Metropolitan (metro) cities received funding from Treasury directly
  - Non-entitlement units (NEUs) receive funding through Florida Division of Emergency Management (DEM)
- FLC has been working with NLC, Treasury, and DEM to ensure cities receive the latest updates and verify budget/allocation data

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#### **ARPA TIMELINE**

- March 3, 2021 Costs incurred on or after this date are eligible for payment by Coronavirus State and Local Fiscal Recovery Funds
- March 11, 2021 Signed into law
- May 2021 Interim Final Rule released
- July 16, 2021 Comment period on Interim Final Rule closed
- August 2021 Division of Emergency Management (DEM) begins sending out funding agreements to NEUs
- August 31, 2021 Deadline to submit documentation verifying NEU's top-line budget figure to State

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#### ARPA TIMELINE CONT'D

- January 31, 2022 Initial Project & Expenditure Report for Metro cities due to Treasury (covers all activity from date of award to Dec. 31, 2021)
- ▶ **April 30**, **2022** Initial Project & Expenditure Report for NEUs due to Treasury (covers all activity from date of award to March 31, 2022)
- Summer 2022 Second tranche of funding to be released
- December 31, 2024 Date by which all Coronavirus State and Local Fiscal Recovery Funds must be obligated
- December 31, 2026 Date by which all Coronavirus State and Local Fiscal Recovery Funds must be expended

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#### **ELIGIBLE USES OF FUNDS**

Based on the Compliance and Reporting Guidance from Treasury, there are seven broad categories and 66 subcategories of eligible uses (p. 31)

- Response to public health concerns raised by the pandemic
- Response to negative economic impacts of the pandemic
- Services to disproportionately impacted communities
- Premium pay to essential workers (private and public)
- Improvements to water, sewer and broadband infrastructure
- Replacement of lost revenue by local governments due to pandemic
- Administrative costs

home.treasury.gov/system/files/136/SLFRF-Compliance-and-Reporting-Guidance.pdf

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### WHERE ARE WE NOW?

- Still awaiting...
  - Treasury's Final Rule
  - Reporting User Guide
  - S. 3011 update
  - FLCities.com/RescuePlan



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### City of Sarasota Allocation Plan

Marlon Brown, City Manager

- \$10,123,762 City of Sarasota (Metro city)
  - \$5,061,881 received April 2021
  - \$5,061,881 will be received April 2022



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### City of Sarasota

#### ARPA Timeline

- April 2021 Received first tranche
- May 27, 2021- First City Commission presentation reviewing eligible uses
- ▶ **June/July 2021** Staff researched eligibility criteria, other jurisdictions, state, federal ARPA programs, calculating and confirming lost revenue per ARPA rules, reviewing unfunded City projects
- August 2, 2021- Staff present proposed uses for Commission feedback



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### City of Sarasota

#### Proposed Eligible Uses

- Respond to the public health emergency and its negative economic impacts.
- Provide premium pay to essential workers.
- Replace local government lost revenue.
- Invest in water, sewer, and broadband infrastructure.



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### City of Sarasota

Project Name	Purpose and Benefit	Amount Proposed from ARPA Funds
Enterprise Resource Planning (ERP) program	Modernize city core business processes and software	\$1,915,435
Main Street Streetscape Improvements from US 301 to Links Ave	Improve walkability, safety and economic development for this stretch of Main St	\$1,000,000
Ringling Bike Lanes within Legacy Trail Network	Improve safety for multimodal transportation options and connectivity from downtown to legacy trail	\$1,270,000
Wi-Fi in City Parks	Provide reliable high-speed broadband coverage to Arlington, Bayfront, Martin Luther King Jr. and Payne Park	\$876,446
	Total	\$5,061,881

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### City of Sarasota

- What general advice would I give?
- Read and Re-Read the Interim Final Rule
- Ensure that Staff works as a team for better understanding
- Provide detailed and prompt reporting
- Ensure that all backup is in place for audit
- Ask questions at all levels (Federal, State, other local governments)



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### City of Seminole

Ann Toney-Deal, City Manager



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### City of Seminole



#### **ARPA Revenue Replacement Calculator**

Background Information		
	Notes:	
1) Fiscal Year End September		
Base Year Revenue Period	9/30/2019 FY used for base year calculation	
2) Calculation Date	<u>12/31/2020</u>	
The state of the s	45 44 44 44 45 44 46 44 46 46 46 46 46 46 46 46 46 46	
Number of Months	15 Months between Base Year and Calculation Date	
Estimate Revenue		
Estimate Revenue		
3) Base Year Revenue \$ 22	21,090,715 Use Worksheet to Calculate	
) base real revenue	21,030,713	
4) Growth Rate	4.3% Use Worksheet to Calculate	
Counterfactual Revenue \$ 2	22,243,424 Estimated Revenue Without Pandemic	
5) Actual Revenue \$ 19	19,665,829 <u>Use Worksheet to Calculate</u>	
Reduction in Revenue	Fiscal Year Ended 12/31/2020	
Revenue Reduction \$ 2	<b>2,577,595</b>	
Revenue Reduction %	-11.6%	

Click here for link

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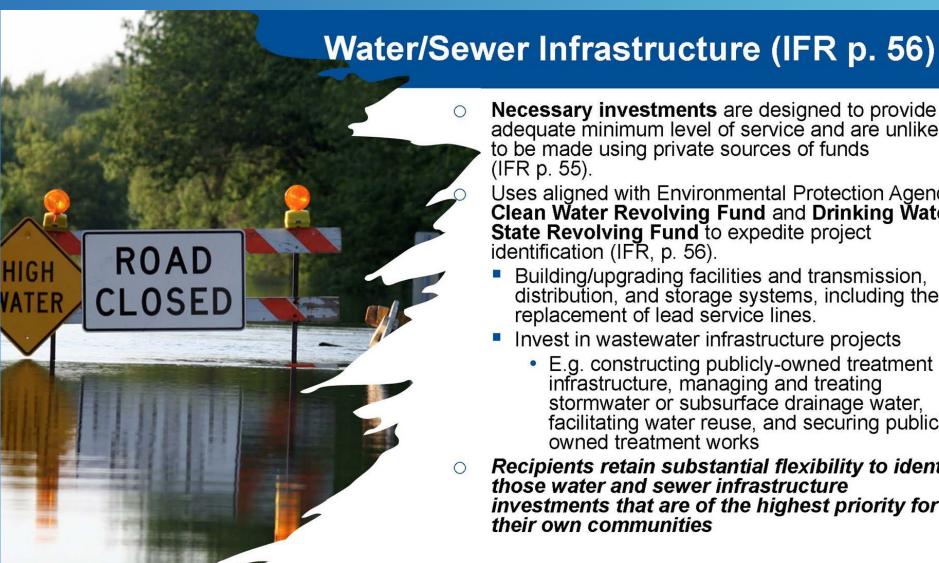
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### | City of Seminole



**Necessary investments** are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds (IFR p. 55).

Uses aligned with Environmental Protection Agency's Clean Water Revolving Fund and Drinking Water State Revolving Fund to expedite project identification (IFR, p. 56).

- Building/upgrading facilities and transmission, distribution, and storage systems, including the replacement of lead service lines.
- Invest in wastewater infrastructure projects
  - E.g. constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publiclyowned treatment works
- Recipients retain substantial flexibility to identify those water and sewer infrastructure investments that are of the highest priority for their own communities

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### City of Seminole



- Can be used retroactively (IFR p. 45)
  - Employees of the jurisdiction designated by executive as essential (IFR p. 43)
- Can be provided directly, or through grants to private employers to public health/safety staff and essential workers outside the public sector:
- Workers at food production facilities, grocery stores, and restaurants, janitors/sanitation workers, truck drivers, and warehouse workers etc.
  - Contact workers performing essential work also eligible.
    - E.g. If a municipality contracts with a third party to perform sanitation work, the third-party contractor could be eligible to receive a grant to provide premium pay for these eligible workers.

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### City of Flagler Beach ARPA Action Plan

- William R. Whitson, City Manager
- City allocated \$2,564,000.
- June 21 City Strategic Planning Retreat; the City Commission authorized the City Manager to initiate a task force to develop the ARPA action plan.
- The task force that was assembled included 8 individuals that represented the residents, local business owners, Flagler Strong (local 501c3 organization), Flagler Beach Business Bureau, Flagler County IT, Flagler County Health Dept. and the City.
- The task force held 3 meetings to assess the impacts of the COVID-19 pandemic locally, discuss potential projects and prioritize those projects in order to develop a custom made action plan that would comply with the US Treasury guidance.
- Once the action plan was completed, it was presented to the Commission for their review and was made available for public comment at the commission meeting.

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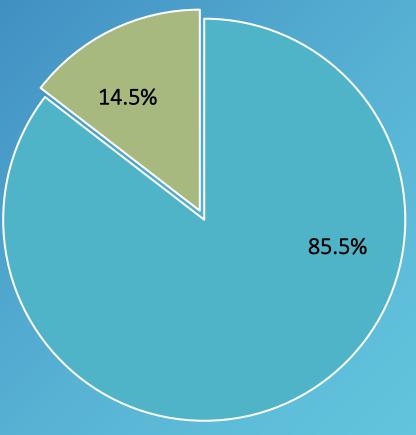
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### City of Flagler Beach

Projects by Group





☐ City Projects - \$2,191,000

■ Business Economic Stabilization - \$373,000



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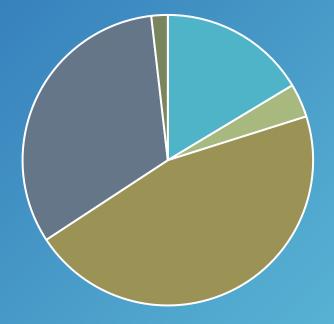
Things to Consider

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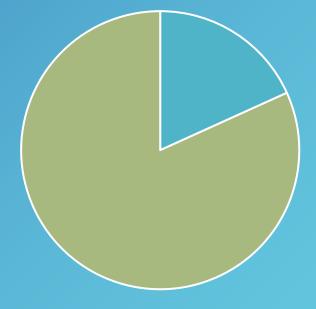
### City of Flagler Beach





- Fiber Optic Loop \$359,000
- Premium Pay for Essential Workers \$82,000
- Well Planning & Construction \$1,000,000
- Pump Station Rebuils \$710,000
- Aeroclave \$40,000

#### **Business Economic Stabilization Projects**



- Research Support/COOP Planning \$68,000
- Mini Grants \$305,000

Note: The City may amend the ARPA plan and projects based on final Treasury guidance.

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### City of Satellite Beach

- Courtney Barker, City Manager
- Recommended Projects Phase I, Category A, COVID-19 Prevention & Mitigation
  - Pelican Coast Field Improvements:
    - Double Precast Concrete (4 Unisex Rooms) Restrooms \$165,878.15
    - Engineering for Restrooms \$50,000
    - Storage Shed \$30,000
    - Paving \$63,462.00
  - Hightower Boardwalk
    - \$118,098.44
  - Tennis Court & Racquet Ball Court Resurfacing
    - \$61,000
  - Fence for DeLaura Basketball Courts & Striping
    - \$40,413.47
  - Vaccination Site & Other COVID-19 Expenditures
    - \$166,819.76



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### City of Satellite Beach

- Recommended Projects Phase I, Category C, Revenue Loss
  - Street Repaying
    - Trinidad Dr. \$47,018.00
    - Beach Street \$37,976.00
    - Glenwood Ave. \$126,588.00
    - Lynn Ave. \$94,037.00
    - Rosada St. \$245,340.00

- ► Total Revenue Loss \$1,467,448
  - Phase I \$550,959

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### City of Satellite Beach

- Recommended Projects Phase I, Category D, Investments in Infrastructure
  - Septic Tank Removal, convert to Sewer
    - **\$183,874.00**
  - Seawalls
    - City Hall \$99,000.00
    - Cassia Blvd. \$140,250.00

\* Applying for SORIL and SJRMD Grants

- Stormwater Projects
  - S-Projects \$1,233,680.00
    - Jamacia Pond Outfall BAM Filter
    - South Ditch BAM Swales
    - Sports Park Treatment
    - Robert Way Diversion/Library Dry Retention
    - Rosada Street
      Repair/Replacement
      - Robin Way Repair/Replacement

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### City of Satellite Beach

- Recommended Projects Phase II, Category A, COVID-19 Prevention & Mitigation
  - Pelican Coast Field Improvements:
    - Field Lighting \$250,000.00
  - South Housing Recreation:
    - Tennis Court Restoration\$57,500.00
    - Basketball Court Restoration\$57,500.00
    - Dog Park Fence Repair \$20,000.00
    - Bathroom Renovation \$5,000



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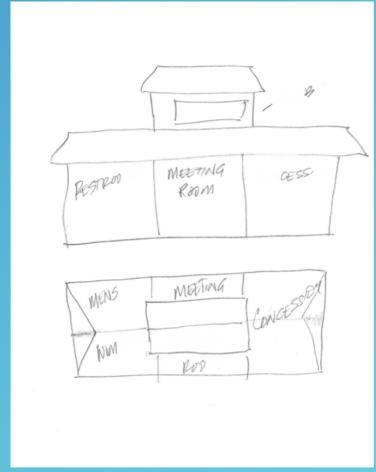
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### City of Satellite Beach

Recommended Projects Phase II, Category A, COVID-19Prevention & Mitigation

- Sports Park Improvements:
  - One Soccer Field Lighting\$250,000.00
  - Fishing Dock \$45,150.25
  - Press Box \$700,000.00
  - Old Concession into Restrooms\$100,000



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### City of Satellite Beach

Recommended Projects Phase II, Category A, COVID-19

Prevention & Mitigation

- Dog Park Improvements:
  - Fencing Repairs and Expansion\$10,000.00
    - Current Dog Park 1 ½ Acres.
  - Add Irrigation \$10,000.00
- Phase II DeLaura Basketball Courts
  - **\$75,000**

\*Applying for FRDAP Grants

#### Satellite Beach Dog Park

Untitled layer

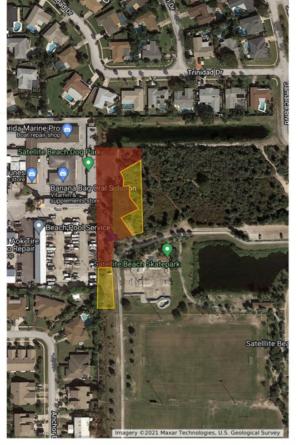
Dog Park Boundary '21

Option)

Dog Park MAIN entrance and Wash Station

Small Dog Park

Option)



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### City of Satellite Beach

Recommended Projects Phase II, Category C, Revenue Loss

- Street Repaying
  - Desoto Parkway \$301,400.00
  - Hamlin Ave. \$215,802.00
  - Norwood Ave. \$229,064.00
  - Poinciana Ct. \$13,262.00
  - CoCo Plum Ct. \$13,262.00

- Total Revenue Loss \$1,467,448
  - Phase II \$772,790.00
- ► Total \$1,323,749 Street Repaying

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### City of Satellite Beach

- Additional Projects
  - The City has planned for contingencies, and the following are projects to add if funding is available:
    - Stormwater Projects
      - R-Projects \$731,781.00
        - Roosevelt BAM Filter & Roosevelt Grant Connection
    - Desoto Pond Fishing Dock \$45,150.25
    - Seawalls
      - Chevy Chase \$162,000.00
      - Jackson Court \$33,000.00

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- ▶ Al Butler, Director of Support Services, City of Ocoee
  - Florida League of Cities
    - Guidance
    - Resources
    - Updates
    - FAQs



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- Resources & Updates
  - April 1 Summary
  - Example Florida city with public input process



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- ICMA
  - Has great information
  - Links to the original sources



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#### Sources & Resources

- ICMA ARPA Fact Sheet
  - 2-page PDF with embedded links to sources





AMERICAN RESCUE PLAN FACT SHEET

### AMERICAN RESCUE PLAN: A GENERATIONAL OPPORTUNITY

#### CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (FRF)

The American Rescue Plan's FRF funds are the largest and most flexible federal funding currently available to local governments. FRF funds must be obligated to projects by December 31, 2024, while the performance period is extended to December 31, 2026. These funds are meant to focus on long-term recovery and there are five primary allowable uses:

- · Supporting public health expenditures;
- Addressing negative economic impacts caused by the public health emergency;
- · Replacing lost public sector revenue;
- · Providing premium pay for essential workers; and
- Investing in water, sewer, and broadband infrastructure.

#### FRAMEWORK TO ASSESS ELIGIBILITY FOR PROJECTS AND SERVICES:

- Identify the harmful effect of COVID-19 that the activity will address.
- 2. Assess the causal or compounding connection.
- Assess for disproportionate impact on distressed sectors or populations.
- Determine how to prove the expense produces the expected outcome

For an overview of the Recovery Funds program including eligible uses, see this May 10 fact sheet (PDF download). For additional details on the state, local, territorial, and Tribal government allocations, see the full list here (PDF download).

For updates from Treasury Department Relief and Recovery Programs, sign up here.

For more information and details on the state, local, territorial, and tribal government allocations, visit Coronavirus State and Local Fiscal Recovery Funds.



#### ALLOWABLE, ENCOURAGED, AND PROHIBITED USES

- Allowable expenses include intervention for qualified census tracks, public health, direct aid, community and economic development, and infrastructure.
- Encouraged expenditures include addressing racial disparities, inequities, and disproportionate harm.
- Prohibited expenditures include paying unfunded pension liabilities, legal settlements, federal match requirements.

#### **OUESTIONS AND ISSUES**

Compliance and reporting guidance and templates can be accessed at Treasury's site: Coronavirus State and Local Fiscal Recovery Funds.

Many questions may be addressed in Treasury's Frequently Asked Questions which are updated regularly. This includes guidance on eligible and prohibited uses as well as specific reporting guidance for Non-Entitlement Units.

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#### Sources & Resources

#### ICMA ARPA Fact Sheet

- 2-page PDF with embedded links to sources
- Be sure to register for updates



#### ICMA



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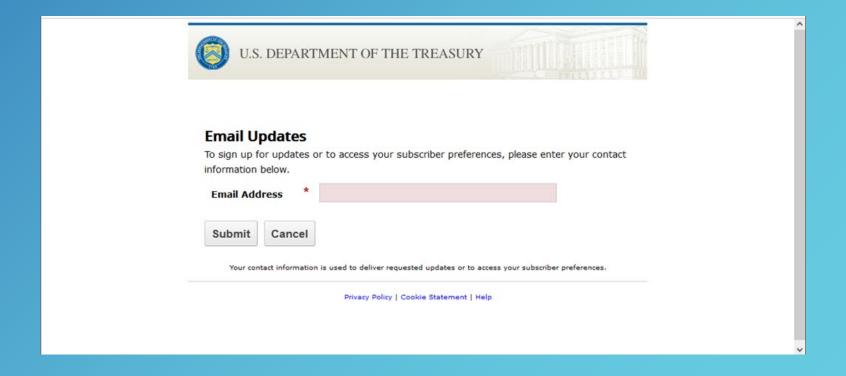
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- Treasury Dept Mailing List
  - Just enter your email address in the box and press Submit
  - Yes, that really is all you need to do



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- **▶** THE Source
  - Treasury Dept website
  - home.treasury.gov



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- ► THE Source
  - Treasury Dept website
  - Click on read more



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### Sources & Resources

- Almost there!
  - Click on Assistance for

State, Local, and Tribal

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Things to Consider

FLC Resources

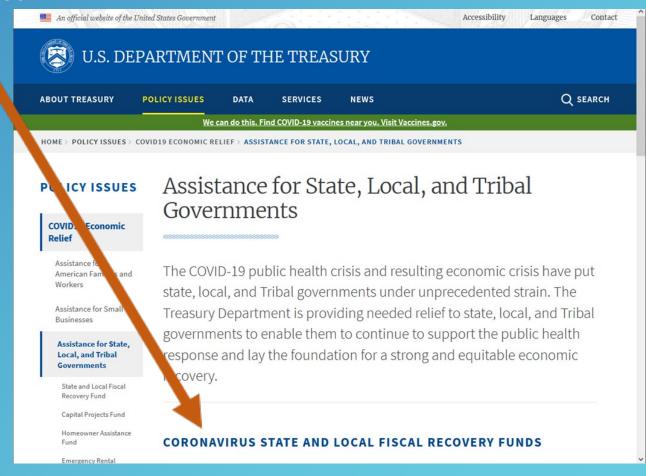


### Sources & Resources

- Last one
  - Click on Coronavirus

State and Local Fiscal

Recovery Funds



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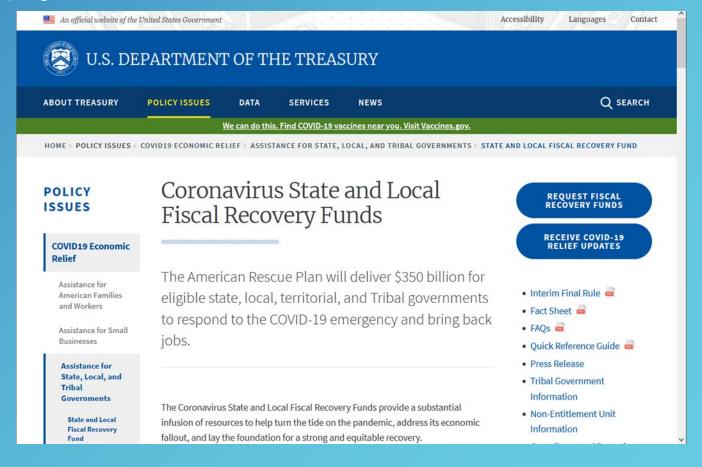
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- You made it!
  - This page is the link to the evolving world of Federal requirements
  - Bookmark this page



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- Rule & Guidance Dashboard
  - The master list of the most recent version of Federal resources

- Interim Final Rule
- Fact Sheet
- FAQs 📾
- Quick Reference Guide
- Press Release
- Tribal Government
   Information
- Non-Entitlement Unit Information
- Compliance and Reporting Guidance

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- Rule & Guidance Dashboard
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  - Click here for detailed information for smaller cities





Fact Sheet







Tribal Government
 Information

 Non-Entitlement Unit Information

 Compliance and Reporting Guidance

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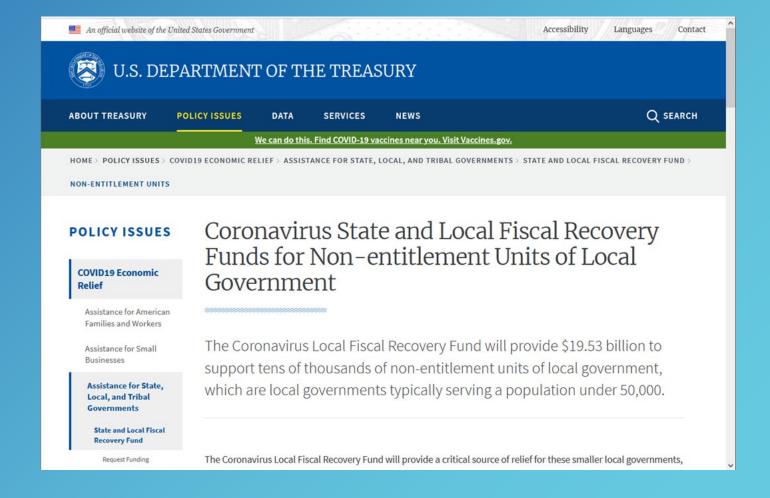
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### Sources & Resources

Non-entitlement Units (NEU) Master Page



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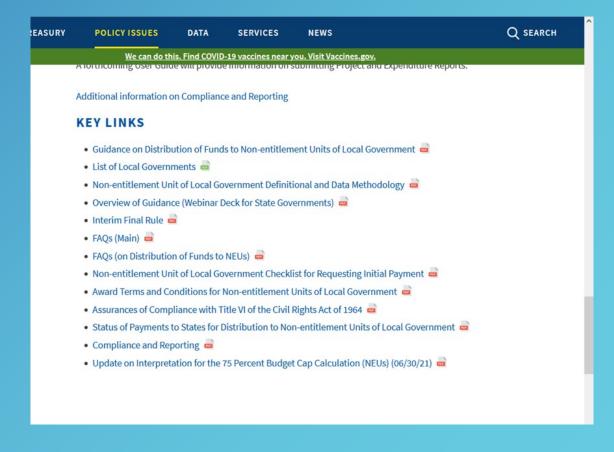
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  - Scroll down to the bottom of the page
  - Bookmark this page



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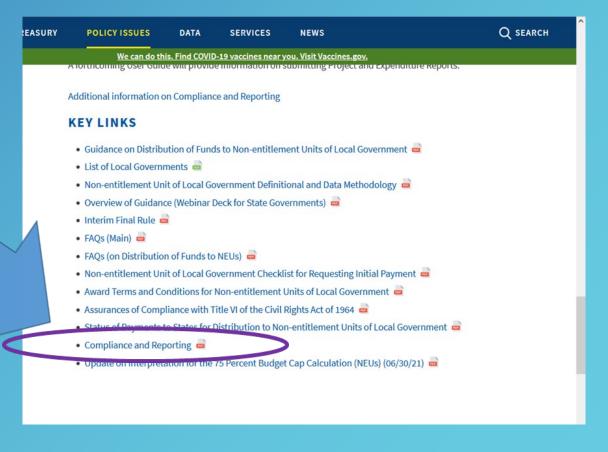
FLC Resources



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35 most important pages on ARPA



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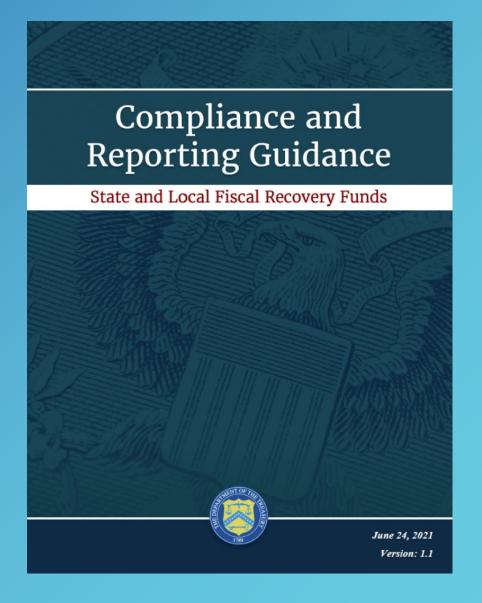
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- Mandatory Reading Assignment
  - ▶ Thou Shall
  - Thou Shall Not



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### Sources & Resources

- Table of Contents
  - UPDATE:
    - Metro city reporting deadline moved to January 31, 2022
    - Non-entitlement units delayed to April 30, 2022
    - Report prior month only

#### Part 1: General Guidance

This section provides an orientation to recipients' compliance responsibilities and the U.S. Department of the Treasury's ("Treasury") expectations and recommends best practices where appropriate under the SLFRF Program.

A.	Key Principles	P. 3
B.	Statutory Eligible Uses.	P. 3
C.	Treasury's Rulemaking	P. 4
D.	Uniform Guidance (2 CFR Part 200)	P. 6
E.	Award Terms and Conditions	P. 10

#### Part 2: Reporting Requirements

This section provides information on the reporting requirements for the SLFRF program.

A.	Interim Report	P. 13
B.	Project and Expenditure Report	P. 15
C.	Recovery Plan Performance Report	P. 23

Appendix 1: Expenditure Categories	P.	3	,
Appendix 2: Evidenced-Based Intervention Additional Information	P.	3	ľ

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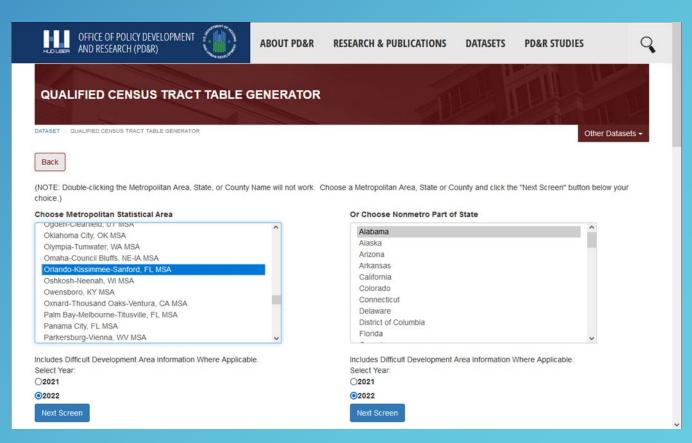
FLC Resources



### Sources & Resources

- Qualified Census Tracts
  - Go to www.huduser.gov of search for "Qualified Census Tract Table"
  - Provides 4 ways for you to generate a list of qualified census tracts in

your jurisdiction



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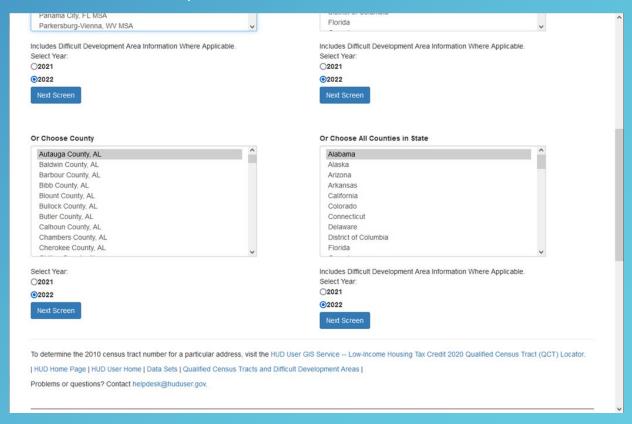
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- The Other Choices
  - Click on the desired unit of government or metro area
  - Select the applicable year
  - Click on Next Screen for the choice you made



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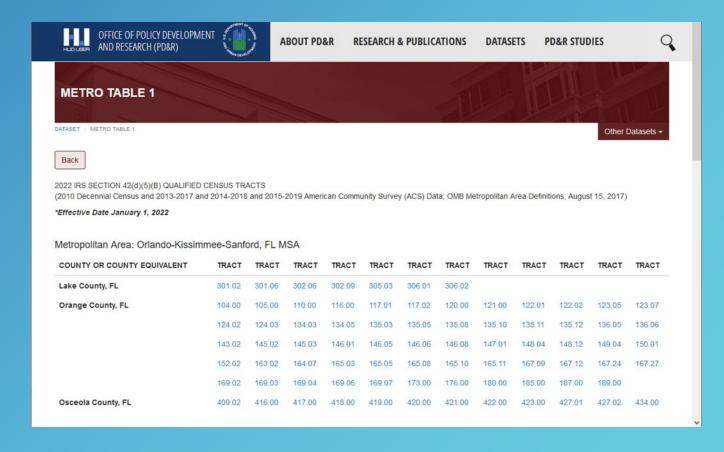
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- The Output
  - Click on a census tract identifier or get a map of all census tracts from your GIS folks



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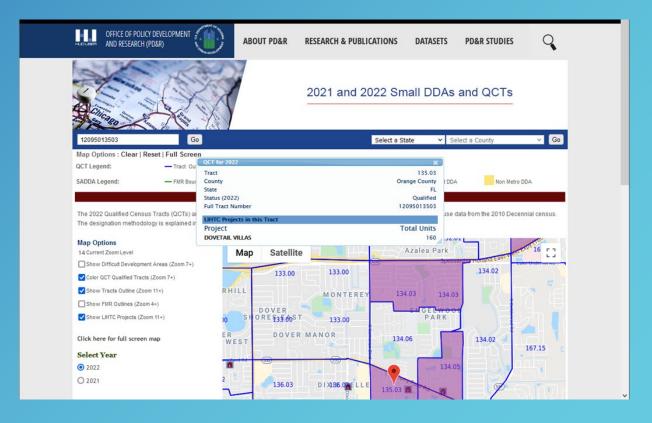
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- The Output
  - Map zoomed into the selected census tract
  - Data box shows info on that tract
  - But you can now see all qualified census tracts



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### Conclusion

- ▶ The information is out there—to the extent that it exists
- Some valid project identification is straightforward
- Some projects will need more justification
- If you are looking at projects on the edges of validity, treat the ARPA money as advance funding in case you have to pay it back

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# **Question & Answer**

### Panelists

- Marlon Brown, City Manager, City of Sarasota (Metro City)
- Ann Toney-Deal, City Manager, City of Seminole
- William Whitson, City Manager, City of Flagler Beach
- Courtney Barker, City Manager, City of Satellite Beach
- ▶ Al Butler, Director of Support Services, City of Ocoee

### FLC Staff

- Allison Payne, Manager, Advocacy Programs & Federal Affairs
- Wade Burkley, Research Analyst

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# Things to Consider...

- Solicit community input and feedback
- Collaborate where you can (county/other cities)
- Document everything for posterity
- Think about how will it be described on the front page of the newspaper
- Determine the harm/need you are looking to address
- Take your time to get it right



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FIC Resources



# FLC RESOURCES

Resources and updates found at FLCities.com/RescuePlan





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