

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1775

AN ORDINANCE OF THE TOWN OF ST. JOHN, INDIANA TOWN COUNCIL  
APPROVING AN AMERICAN RESCUE PLAN ACT PLAN

**WHEREAS**, the Town Council (the "Council") of Town of St. John, Indiana (the "Town") has given consideration to identifying certain projects (such projects, as may be amended from time to time, the "Projects") as described in the Town of St. John, Indiana American Rescue Plan Act Plan attached hereto as Exhibit A (the "ARPA Plan"); and

**WHEREAS**, the Town has previously created and established the ARP Coronavirus Local Fiscal Recovery Fund (Fund Number 2402) into which certain funds received, or to be received, from the federal government pursuant to Section 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 ("ARPA") have been or will be deposited, for the purpose of paying certain costs incurred by the Town prior to December 31, 2024, as permitted by ARPA and the regulations thereunder and in accordance with the Town's ARPA Plan, as approved by the Council and amended from time to time; and

**WHEREAS**, the Council has determined and found that it will be of public utility and benefit and in the best interests of the Town to proceed with the Projects.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:**

**SECTION ONE:** Approval of ARPA Plan. The ARPA Plan attached hereto as Exhibit A is hereby approved. The ARPA Plan may be amended from time to time so long as the amendment complies with ARPA and any related regulations and the amendment is approved by the Council and the Mayor of the Town.

**SECTION TWO:** Other Action. The appropriate Officers of the Town are hereby authorized and directed to take any other action deemed necessary or advisable in order to effectuate purposes of this Ordinance.

**SECTION THREE:** That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION FOUR:** If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

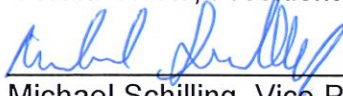
**SECTION FIVE:** That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 24 DAY OF AUGUST, 2022,  
LAKE COUNTY, INDIANA.

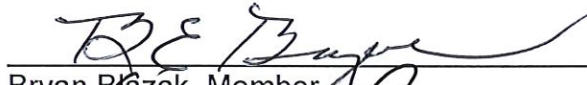
TOWN OF ST. JOHN, LAKE COUNTY, INDIANA,  
TOWN COUNCIL

  
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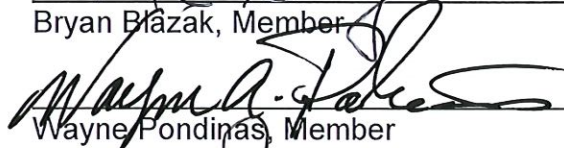
Gerald Swets, President

  
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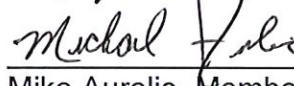
Michael Schilling, Vice-President

  
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Bryan Blazak, Member

  
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Wayne Pondinas, Member

  
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Mike Aurelio, Member

ATTEST:

  
Beth R. Hernandez, Clerk-Treasurer

**EXHIBIT A**

**TOWN OF ST. JOHN, INDIANA  
AMERICAN RESCUE PLAN ACT PLAN  
ADOPTED AS OF AUGUST 24, 2022**

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## Overview of Funding

### **American Rescue Plan Act & Coronavirus State and Local Fiscal Recovery Fund**

On March 11, 2021, President Joe Biden signed the American Rescue Plan Act (“ARPA”) into law. Among its many provisions intended to address the COVID-19 pandemic, the ARPA included the Coronavirus Local Fiscal Recovery Fund (“FRF”), intended to provide local governments with funds to respond to the impact of COVID-19. The FRF funds may be used by recipients for the following four purposes:

1. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
2. To respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers;
3. For the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
4. To make necessary investments in water, sewer, or broadband infrastructure.

On May 17, 2021, the United States Department of the Treasury (“Treasury”) issued an Interim Final Rule, providing guidance and clarifying the nature and scope of expenses eligible for payment using FRF funds. On January 6, 2022, Treasury issued a final rule (the “Final Rule”) which provided flexibility and simplifications regarding the use of the FRF funds. The Final Rule takes effect on April 1, 2022, but recipients of FRF funds can take advantage of the Final Rule’s provisions as of the date of its publication.

### **Town of St. John’s Allocated Funding**

Congress allocated the FRF funds under the ARPA to support non-entitlement units of local government (NEUs). In sum, the FRF provided \$19.53 billion to NEUs, which is then distributed by states. The Town of St. John, Indiana (the “Town”) has been allocated \$4,243,620.59 in FRF funds, of which it has received \$2,129,841.68 as of August 3, 2022.

### **Town of St. John ARPA Plan**

In accordance with guidance issued by the Indiana State Board of Accounts, the Town has adopted this plan outlining the intended uses, amounts, and justifications for its FRF expenditures. These numbers are estimates for each category and may change based on need, COVID conditions and or bids/quotes that come in higher or lower. Likewise, projects may be added and or removed. This plan is to layout a roadmap for the Town Government to utilize these dollars to have the greatest overall impact on the Town.

### Summary of Proposed Uses of Funding

The Town plans to use its FRF funds in the below amounts and permitted categories, further detailed in the following pages of this plan:

<b>CATEGORY</b>	<b>AMOUNT</b>
Responding to COVID-19 Public Health Emergency	None
Responding to negative economic impacts of COVID-19	None
Providing premium pay to eligible workers	None
Provisions of government services to extent of reduction in revenue	\$ 4,243,620.59

**Town of St. John, Indiana ARPA Funding Plan**

Proposed Actions to Respond to COVID-19 Public Health Emergency

None as of August 3, 2022

Proposed Actions to Respond to the Negative Economic Impacts of COVID-19

None as of August 3, 2022



Proposed Actions to Respond to COVID-19 Public Health Emergency by Providing  
Premium Pay to Eligible Workers Who Have Performed Essential Work

None as of August 3, 2022

## Proposed Uses for the Provision of Governmental Services using Revenue Loss Funds

### 1. Government Services

**Projects Proposed Action:** The Town plans to use up to the full amount of its allocation of FRF funds for the provision of government services, which may include, but is not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services. Projects under this category are to be determined by the Town Council, and this Plan shall be amended as needed to specify such agreed upon projects.

**Estimated cost:** \$4,243,620.59

**Justification:** Recipients may use elect a standard revenue loss amount of up to \$10,000,000 or the recipient's entire allocation of FRF funds, whichever is less, for the provision of government services. The provision of government services includes, but is not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services<sup>1</sup>

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<sup>1</sup> "A recipient may use funds for the provision of government services to the extent of the reduction in the recipient's general revenue due to the public health emergency, calculated according to this paragraph (d). A recipient must make a one-time election to calculate the amount of the reduction in the recipient's general revenue due to the public health emergency according to either paragraph (d)(1) or (d)(2) of this section... Standard allowance. The reduction in the recipient's general revenue due to the public health emergency over the period of performance will be deemed to be ten million dollars." 31 CFR § 35.6(d)

Proposed Actions to Invest in Water, Sewer, and Broadband Infrastructure

None as of August 3, 2022