

**RESOLUTION NO. 3020-6**

**A RESOLUTION AUTHORIZING THE CITY OF MULVANE KANSAS TO RECEIVE MONEYS FROM THE CORONAVIRUS RELIEF FUND: AUTHORIZING THE CITY ADMINSTRATOR TO EXECUTE, DELIVER AND PERFORM A SUBRECIEPIENT GRANT AGREEMENT WITH SEDGWICK COUNTY, KANSAS; AND AUTHORIZING CITY STAFF TO COMPLETE SUCH OTHER MATTERS AS MAY BE RELATED THERETO.**

**WHEREAS**, securing the health, safety, and economic well-being of our residents is this governing body's top priority; and

**WHEREAS**, the City of Mulvane, Kansas is facing both a public health and economic crisis – the pandemic and public health emergency of COVID-19 – which has resulted in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens; and

**WHEREAS**, the World Health Organization declared a pandemic on March 11, 2020; and

**WHEREAS**, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and

**WHEREAS**, the City of Mulvane must remain flexible to account for the evolving nature and scope of the unprecedented public health emergency posed by COVID-19, while also simultaneously beginning the process of safely, strategically, and incrementally reopening business and facilitating economic recovery and revitalization; and

**WHEREAS**, for the aforementioned and other reasons, and in recognition and furtherance of my responsibility to provide for and ensure the health, safety, security, and welfare of the people of the City of Mulvane, the City of Mulvane has determined that the evolving public health and economic threats posed by COVID-19 require a proactive approach to provide immediate financial relief and long-term economic investment in the City of Mulvane; and

**WHEREAS**, in these challenging times, the City of Mulvane will do whatever it can to avoid immediate dangers to the health, safety, and welfare of our constituents and prepare for future waves of COVID-19; and

**WHEREAS**, the State Finance Council approved a proposal to distribute money to help address the health and economic challenges inflicted by COVID-19 and impact from COVID-19 with funds provided for reimbursement of COVID-19 related costs and as direct aid; and

**WHEREAS**, to ensure that all educational and municipal entities within counties receive Coronavirus Relief Funds to meet their respective health and economic challenges, the

Strengthening People and Revitalizing Kansas (SPARK) Taskforce's Executive Committee passed a motion direct counties to allocate and share Coronavirus Relief Funds with public educational and municipal entities within their counties; and

**WHEREAS**, Section 5001 of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, as codified in 42 U.S.C. § 801, provides the eligible purposes for which Coronavirus Relief Fund ("CRF") payments may be used; and

**WHEREAS**, as outlined in guidance issued by the Congressional Research Service on April 14, 2020, "Coronavirus Relief Fund payments may not be used to directly account for revenue shortfalls related to the COVID-19 outbreak, although such funds may indirectly assist with revenue shortfalls in cases where expenses paid for by the Coronavirus Relief Fund would otherwise widen the gap between government outlays and receipts; and

**WHEREAS**, The COVID-19 pandemic has disproportionately impacted racial minorities within the State of Kansas, illustrating long-standing health disparities for African-American, Latino, and other racial minority populations in the United States. Accordingly, the City of Mulvane will consider and incorporate efforts to address such disproportionate impacts on racial minorities in its direct aid plan; and

**WHEREAS**, 42 U.S.C. § 801(f) provides that the Inspector General of the Department of the Treasury determines whether CRF payments have been used for eligible purposes and fund payments that are deemed to have been used for ineligible purposes are treated as a debt owed by the implementing government to Treasury.

**NOW THEREFORE: Be it resolved that**, pursuant to the authority vested in the governing body of the City of Mulvane, including the authority granted to this body by constitutional home rule in order to begin the process of safely, strategically, and proactively providing the resources the city needs to both mitigate the spread of COVID-19 and invest in long-term economic recovery, that:

1. The City of Mulvane accepts any funds appropriated to the City of Mulvane through the State's Coronavirus Relief Fund and distributed by Sedgwick County pursuant to the terms and conditions of the Subrecipient Grant Agreement, as presented to the governing body on this date.
2. To ensure effective and timely oversight of local spending, the City of Mulvane is authorized to enter into the Subrecipient Grant Agreement with Sedgwick County and to comply with all requirements established by Sedgwick County.
3. The City Administrator to hereby authorized to execute and deliver the Subrecipient Grant Agreement, all as intended ensure the lawful use of funds and transparency, equity, and accountability of the use of funds.
4. To ensure transparency and accountability in the deliberation, expenditure, and oversight processes associated with CRF funds, the City of Mulvane will comply with all requirements of the Kansas Open Meetings Act.


5. The City of Mulvane agrees to cooperate with any audits or inquiries by the Department of the Treasury concerning CRF funds and agrees to pay any debt incurred to the Department of the Treasury caused due to ineligible expenditures of appropriated CRF funds.
6. The City Administrator shall monitor guidance regarding the transfer, expenditure, reimbursement, or other use of CRF funds provided by the United States Department of the Treasury, the Governor's Office of Recovery, or Sedgwick County and shall be the responsible person for making application for the same.
7. The City of Mulvane shall return any unspent funds which must be returned to the State for recoupment. All reconciliation documents submitted will be made publicly available, including any supporting documentation submitted by the City of Mulvane to Sedgwick County.
8. The City Administrator shall execute and apply for grant funds to be used to pay or reimburse necessary expenditures incurred due to the COVID-19 emergency as the "official representative" of the City and is empowered to perform all acts required in connection with the application and to provide such additional information as may be required by entering into the agreement with Sedgwick County, Kansas.
9. This Resolution is intended to assure the funding agency that the City of Mulvane possesses legal authority to contract for services related to the COVID-19 emergency. That the City Administrator is authorized to sign the Subrecipient Grant Agreement with Sedgwick County, including all understandings and assurances contained in said agreement, and directing and authorizing the City Administrator as the official representative of the City as "Recipient".

PASSED, ADOPTED and APPROVED by the Governing Body of the City of Mulvane, Kansas this 17<sup>th</sup> day of August, 2020.



ATTEST:

CITY OF MULVANE, KANSAS

  
Shelly Steadman, Mayor

  
Debra M. Parker, City Clerk