

ORDINANCE NO. 8

Series 2021

July 20, 2021: Introduced as Council Bill 8, Series 2021 by Mayor Pro Tem Katy Brown, seconded by Councilor Al Blum and considered in full text on first reading. Passed by a vote of 6 yes and 0 no.

August 3, 2021: Considered in full text on second reading. Passed by a vote of 6 yes and 0 no.

**A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE,
AMENDING THE BUDGET FOR FISCAL YEAR 2021 BY CREATING THE AMERICAN
RESCUE PLAN ACT FUND AND ALLOCATING FUNDS THERETO**

WHEREAS, the City Council of the City of Cherry Hills Village adopted the 2021 budget and appropriated funds in accordance with Article IX of the Cherry Hills Village Home Rule Charter; and

WHEREAS, in response to the COVID-19 global pandemic, the United States government enacted the American Rescue Plan Act of 2021, H.R. 1319, 117th Cong. (2021) (“ARPA”); and

WHEREAS, ARPA established and appropriated funds to the Coronavirus Local Fiscal Recovery Fund to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19); and

WHEREAS, as a Non-Entitlement Unit as defined in ARPA, the City of Cherry Hills Village (“City”) will receive an amount not to exceed One Million Six Hundred Seventy Thousand Seven Hundred Twenty-One Dollars and Eighty-Two Cents (\$1,670,721.82), which be distributed in two separate payments in 2021 and 2022 (“ARPA Funds”); and

WHEREAS, the City may spend ARPA Funds on qualifying expenditures obligated by December 31, 2024 and must expend such funds by December 31, 2026;

WHEREAS, the City has received Eight Hundred Thirty-Five Thousand Three Hundred Sixty Dollars and Ninety-One Cents (\$835,360.91) in ARPA Funds in 2021, which monies were not included in the approved 2021 budget; and

WHEREAS, pursuant to Article IX Section 9.9 of the City’s Home Rule Charter, the City may create a special fund by ordinance to account for monies to be held or used for special purposes; and

WHEREAS, the City Council desires to create a special fund entitled, “American Rescue Plan Act Fund” to allocate and account for ARPA Funds that the City receives and expends and to amend the City’s budget accordingly.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. That the 2021 Budget is hereby amended to establish a fund called the American Rescue Plan Act Fund for the purpose of accounting for ARPA Funds revenues and expenditures and allocates the ARPA Funds that the City has received to the American Rescue Plan Act Fund in the amount of \$835,360.91, to wit:

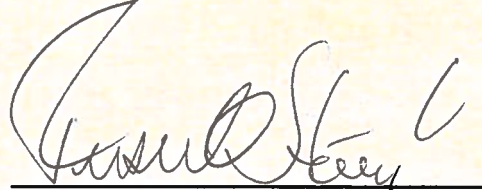
<u>American Rescue Plan Act Fund</u>	
As determined on or before December 31, 2021	
From	To
\$0	\$835,360.91

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

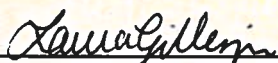
Adopted as Ordinance No. 8, Series 2021, by the City Council of the City of Cherry Hills Village, Colorado, on the 3rd day of August, 2021.

(SEAL)




Russell O. Stewart, Mayor

ATTEST:


Laura Gillespie, City Clerk

APPROVED AS TO FORM:


Kathie B. Guckenberger, City Attorney

Published in The Villager
Published 8-12-21
Legal # 10352

**CITY OF CHERRY HILLS
VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 8, SERIES 2021**

**A BILL FOR AN ORDINANCE OF
THE CITY OF CHERRY HILLS
VILLAGE,
AMENDING THE BUDGET FOR
FISCAL YEAR 2021 BY CREAT-
ING THE AMERICAN RESCUE
PLAN ACT FUND AND ALLOCAT-
ING FUNDS THERETO**

Copies of the Ordinances are on
file at the office of the City Clerk
and may be inspected during regu-
lar business hours.

Published in The Villager
Published: August 12, 2021
Legal # 10352