

**AMERICAN RESCUE PLAN ACT INVESTMENT PLAN
FOR THE CITY OF ANDERSON, INDIANA
2022**

Fourth Amended

August 2, 2022



**MAYOR
THOMAS J. BRODERICK, JR.**

ANDERSON CITY COMMON COUNCIL

**Rebecca Crumes-President
Rick Muir President Pro-tempore
Antony "Ty" Bibbs
Jennifer Culp
Jeff Freeman
Jon Bell
Ollie Dixon
Lance Stephenson
Joe Newman**

EXHIBIT A

Introduction

American Rescue Plan Act: Because of the COVID-19 pandemic and its adverse effects the United States Congress, at the request of President Joe Biden, enacted Section 9901 of the American Rescue Plan Act of 2021 (“ARPA”) which established the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, which together make up the Coronavirus State and Local Recovery Funds (“SLFRF”) program. Through this program American Rescue Plan (ARP) Funds (ARPF) are received. This program is intended to provide support to local governments in responding to the economic and public impacts of COVID-19 and in local governments efforts to contain impacts on their communities, residents, and businesses. (Source: U.S. Department of Treasury) The Act was signed into law on March 11, 2021. On May 10, 2021, the U.S. Department of Treasury (Treasury) released its Interim Final Rule with respect to the new law and set forth guidance and rules related to the funds. The Treasury allowed until July 16, 2021, for public comments on the proposed rule. On November 15, 2021, the Treasury released its Compliance and Reporting Guidance which provided additional detail and classification for each recipient’s compliance and reporting responsibilities under the SLFRF program. On January 27, 2022, the Treasury released its Final Rule to become effective April 1, 2022.

Executive Summary:

In May 2021, pursuant to the ARPA and at the direction of the Indiana State Board of Accounts, and upon request of the mayor and the Anderson City Controller, the Anderson City Common Council, established the City of Anderson RP Coronavirus Local Fiscal Recovery Grant Fund (Fund #3176) for the receipt of ARP Funds on behalf of the City of Anderson, Indiana.

On December 1, 2022, Mayor Thomas Broderick, Jr. issued his initial proposed American Rescue Plan Act Investment Plan for the City of Anderson. Copies were delivered to all city council members, the news media, and was posted on the City of Anderson website along with a portal that allowed for public comment and input on the proposed plan and allowed for suggestions for use of the plan proceeds. On December 9, 2021, the mayor appeared before the Anderson City Council, during their public meeting and officially delivered the proposed plan to the council. On February 22, 2022, and on February 24, 2022, the mayor, Anderson City Water Superintendent Neil McKee conducted a public meeting at the Anderson City Hall Auditorium and gave a full presentation of the plan details and elicited public commentary. The meeting was open to the public and was also available via interactive Zoom. Appearing to record commentary was Anderson TV, the city of Anderson local public access station, Leila Kelley, Anderson City Community Development Director, and Greg Winkler, Anderson City Economic Director. Some members of the Anderson City Council were also present at these public meetings. The local news media, namely Ken de la Bastide, the senior newspaper reporter for the *Herald Bulletin* and Mitch Henck of *WHBU* radio were both present and later provided coverage in the local media. On March 3, 2022, the Anderson City Common Council held a special meeting by Zoom and in person, in the Anderson City Auditorium for the purpose of

discussing and receiving public input on the proposed plan and proposed uses for the plan funds. On March 9, 2022, the mayor meet with a special committee of the city council to obtain input on the proposed plan. The portal for public comment has remained open throughout the process. Comments made through the portal are available to review of the Anderson City website. A majority of those responding supported the original plan. The majority of those who offered suggestions were for items or areas allowed for in the original and this amended plan. A few of the suggested expenditures were for items not allowed under ARPA and the Treasury Final Rule.

On July 26, 2022, a special public hearing and meeting of the Anderson City Council, called by the mayor, after proper legal notice was held in the Anderson City Hall Council chambers to consider the proposed plan and associated Ordinances. After the public hearing and public meeting, the third amended American Rescue Plan Act Investment Plan for the City of Anderson, was passed in two related ordinances on its first of three required readings. Pursuant to a request of some members of the council this Fourth Amended plan was prepared which further streamlines the appeal process and makes other non-substantive, but primarily clarifying modifications. It is now before the council for its second and third readings.

This proposed amended plan reflects changes in the Treasury Final Rule, updated guidance from the Indiana State Board of Accounts, council suggestions and public input gathered to date.

Anderson's allocation of Funds: The city of Anderson has been allocated \$23,105,606 in ARP Funds, half of which was received by the city on May 20, 2021, in the sum of \$11,552,825 and the remaining half that was received on June 6, 2022. Failure to act timely will result in the loss of the funds for use within the community.

Permitted Use of Funds: Pursuant to Section 603 (C) of the ARP and the Department of the Treasury's Interim Final Ruling, the funds were required to only be used only for the following purposes:

- A. To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality;
- B. to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city... that are performing essential work, or providing grants to eligible employers that have eligible workers who perform such essential work;
- C. for the provision of government services to the extent of the reduction in revenue of such metropolitan city...due to the COVID-19 public health emergency relative to

revenues collected in the most recent full fiscal year of the metropolitan city...
(presently legislation is pending in Congress that may modify this provision)

D. to make necessary investments in water, sewer, or broadband infrastructure.

Final Rule Major Changes and Clarifications: The final rule provides broader flexibility and greater simplicity in the program, in response to public comments. Among other clarifications and changes, the final rule provides for the following:

Public Health and Negative Economic Impacts: In addition to programs and services, the final rule clarifies that recipients may use funds for capital expenditures that support an eligible COVID-19 public health or economic response. For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with the requirements in this final rule and the Supplementary Information. In addition, the final rule presumes that an expanded set of households and communities are “impacted” or “disproportionately impacted” by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the final rule provides a broader set of enumerated eligible uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, and early learning services eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities. Further, the final rule allows for a broader set of uses to restore and support government employment, including hiring above a recipient’s pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

Premium Pay: The final rule offers more streamlined options to provide premium pay, by broadening the share of essential workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline essential workers.

Revenue Loss: The final rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount for government services.

Water, Sewer, and Broadband Infrastructure: The final rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broad range of lead remediation and stormwater management projects.

Procedure for Distribution of Funds: All ARP Funds must be appropriated by the Common Council prior to distribution. All ARP Funds shall be distributed in accordance with this ARP Plan

subject to modification and/or amendment and the act. The City of Anderson may contract with a private nonprofit organization, a public benefit corporation or a special-purpose unit of State or local government for the purpose of distributing ARP Funds, or may distribute through the city controller's office, in accordance with this ARP Plan. The city is responsible for the submission of required reporting to the Secretary of the Treasury as required by ARP. Recipients shall be required to report all necessary information and documentation timely to the city as required by ARPA to allow the city to be able to timely comply with reporting requirements. ARP Funds must be obligated for expenditure by December 2024, unless extended by the federal government and must be spent by December 31, 2026, unless extended by the federal government.

Plan Preparation, Amendments, and community engagement: This document shall serve as the City of Anderson's plan for use of ARPA Funds. This Plan was prepared with consideration of the needs of the city government, small local businesses, non-profit organizations, and citizens and includes input from elected officials, department leaders, union leaders, employees, local business owners and leaders and members of the community. The plan is intended to promote equitable outcome in the community for all citizens. This includes positive outcomes that will address those most impacted by COVID-19. This proposal is submitted to the Common Council for their approval. This ARP plan will be effective upon approval by the Common Council of the City of Anderson. This ARP Plan may be amended by the Common Council to comply with Section 603 (C) of the ARP and any official guidance issued by the United States Treasury Department or to make modifications that are appropriate, including the shifting of funds that allows use of the ARPF for other allowable projects. The United States Treasury has issued its Final Rule, along with guidance that defines the categories of uses of these funds and this plan complies with those defined uses at this time.

Internal Controls and Reporting: The City of Anderson shall implement internal controls to provide reasonable assurance that the ARP funds will be safeguarded and used in accordance with the ARPA. The Controller of the city shall design the controls using any United States Treasury or Indiana State Board of Account guidance. Legal counsel for the City of Anderson shall provide advice in establishing the criteria and eligibility in relation to the permitted uses for ARP Funds and criteria regarding required reporting by recipients of the funds.

A Summary of Proposed Funding Allocations:

The following is a summary of the proposed funding allocation, with explanation to follow:

Summary of Funding Allocation by Expenditure Category

(EC 4.1) 2021 Premium pay (and FICA)	\$3,000,000.00
(EC 5.0) Infrastructure (Water plant expansion and improved distribution to provide more capacity and to hold down rate increase to	

be in conjunction with TIF dollars)	\$9,000,000.00
(EC 2.9) Small Business and Restaurant assistance	\$2,200,000.00
(EC 2.1) Aid to Non-profit Organizations	\$2,200,000.00
(EC 2.2 Homeowner Assistance, 2.1 Food Programs, 2.4 Internet Access Programs), includes financial assistance to households, home repairs, utility, rent and down payment assistance, internet connectivity assistance, food programs to address food insecurity	\$2,250,000.00
(EC 3.10) Affordable Housing	\$2,250,000.00
(EC 2.1) Household Assistance: Food Programs	Included above
(EC 2.4) Internet Access Programs	included above
Homeless initiatives	\$900,000.00
Reserve (to be allowed for use in any area needing additional funds.	\$600,000.00
Administration	<u>\$705,605.00</u>
Total	\$23,105,605.00

EC 4.1 Premium Pay \$3,000,000

In accordance with ARPA Section 603 (c)(1)(B) funds may be used for costs incurred “to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the...government that are performing such essential work...” (Final Rule and commentary).

There is a three-part framework for recipients to use said funds for premium pay. First, to receive premium pay one must be an *eligible worker*. Second, an eligible worker must also perform *essential work*. Finally, premium pay must *respond to workers* performing essential work during the COVID-19 public health emergency.

Section 602(g): states: “(3) PREMIUM PAY. —The term ‘premium pay’ means an amount of up to \$13 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID–19 public health emergency. Such amount may not exceed \$25,000 with respect to any single eligible worker.”

As to the first part, the commentary to the Final Rule states that “all public employees of recipient governments are...included in the...definition of “eligible worker”. Therefore, all city of Anderson workers are determined to be eligible workers, as a matter of law.

As to the second part, “essential work” is defined as work that (1) is not performed while teleworking from a residence and (2) involves either (i) regular, in-person interactions with patients, the public, or coworkers of the individual that is performing the work or (ii) regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work. The Treasury did not change this definition in its final rule. As explained in detail below all designated city workers are essential workers.

Finally, the third part of the framework, requiring that the premium pay must respond to workers performing essential work during the COVID-19 public health emergency, was modified in its final rule. The final rule provides that premium pay is responsive to eligible workers performing essential work during the public health emergency if each eligible worker who receives premium pay falls into one of three categories: (1) the worker’s pay is below the wage threshold, (2) the worker is not exempt from the FLSA overtime provisions, or (3) the recipient has submitted a written justification to Treasury.

Most of city workers in the categories set forth below are not exempt from FLSA overtime provision and therefore meet this requirement.

Some city workers in the categories set forth below are exempt from FLSA overtime provision, but their pay, with or without the premium pay, are below wage threshold of \$75,660 (as determined by the US Bureau of Labor Statistics Occupational Employment Wage Statistics), and therefore meet this requirement.

A few essential workers, who performed essential work, exceed the threshold and are exempt from FLSA, but meet the Treasury justification requirements due to the nature of their essential duties and work, their health and financial risks faced due to COVID-19-- e.g. fire and police department chiefs and assistant chiefs who continued to work in the field along side rank and file officers, all to a detriment to themselves, in order to provide both leadership and needed services. These categories will require written justification noted herein to be submitted to Treasury per final rule.

The final rule makes it clear that written justification to Treasury is not necessary with respect to eligible workers whose pay is less than the wage threshold. Nor is written justification necessary with respect to eligible workers who are not exempt from the FLSA overtime provisions. The written justification is only necessary if the worker’s pay (with or without the premium) exceeds the threshold, and the worker is exempt from the FLSA overtime provisions.

Treasury has also updated the final rule to clarify that written justification means a brief, written narrative justification of how the premium pay or grant is responsive to workers performing essential work during the public health emergency.

The city of Anderson has approximately 700 employees who working together helped and continue to help suppling the essential services to our community during the pandemic. Safe,

clean and abundant drinking water; prompt and sanitary cleaning of our waste and treatment of our sewage to ensure ecologically safe and proper discharge into our river; electrical power and service that allows us to operate our businesses, including grocery stores and hospitals and heat and cool our homes, and to run countless electronic devices that keep us all connected; safe and properly maintained roads and traffic signals to keep our travel safe; park and recreation facilities and programs that helped to maintain a healthy life during the pandemic; public safety through professional police, fire and ambulance services; public transportation through our bus system which allowed continued transportation for those most affected by the pandemic; ongoing economic and community development that continued to provide job opportunities, assist in COVID relief programs and grants, and program opportunities for our children, seniors, and lower income families; public airport that allowed for continued commerce during the pandemic; continued justice system operations to support public safety, continued IT operations in support of all city services and city owned and operated utilities, Civil and human rights and housing protections; continuous operation of public access television; and administrative oversight and operation of all of said services and utilities, among others .

As a result of the pandemic, the mayor, closed or limited access to Anderson City Hall and city facilities on March 19, 2020, until April 12, 2021. During the closure to the public, many city workers, none-the-less, by the nature of their jobs were required to continue to work with regular interactions with the public or coworkers in the performance of their job duties; and/or said employees incurred regular physical handling of items that were handled by the public, or coworkers of the individual that was/is performing the work, all of which subjected them to great risk due to the COVID-19 virus. Many workers were unable to perform their primary duties from a “stay at home remote working model”. While the city took many precautions to protect its workers, many became infected due to the disease. All workers were subjected to substantial stress due to the pandemic. Beginning April 12, 2021 and continuing through the current time, these essential workers within each of the below named departments have been required to continue to work with regular interactions with the public or coworkers in the performance of their job duties; and/or said employees have incurred regular physical handling of items that were handled by the public, or coworkers of the individual that are performing the work with the worker, all of which continues to subject them to great risk due to the COVID-19 virus. These high risks continue despite efforts at appropriate social distancing, vaccinations, and efforts to control close contact.

The workers set in the listing below were previously, under the interim rule, determined by the mayor to be eligible workers and he reaffirms said determination with the submission of this plan. However, as noted above, the Treasury has clarified in the final rule that “all public employees of recipient governments are already included in the definition of eligible worker” and therefore, no additional designation is required of the chief executive. (Emphasis added)

All employees including those funded by grants, contract employees, and part-time, temporary or seasonal employees are deemed essential workers and are eligible recipients of the ARPA

funds as they have worked during the times set forth herein to provide the essential services needed by the public and in doing so were at continued risk of exposure, illness, and death due to their efforts on behalf of the community. All employees meet the requirements of the final rule, as forth herein.

Premium payments will be made to employees working in the departments designated below in an amount not to exceed the capped amounts upon verification of time worked during the allowed time periods and under the criteria set forth herein.

Application for Pay

An eligible employee shall upon a written verified request form, developed by the Anderson City Controller, in consultation with the Anderson City attorney, make his/her request for allowed premium pay. The employee shall submit the request to the individual’s department head who shall also verify that the eligible worker performed essential work during applicable time periods. Thereafter, the department head shall submit same to the controller’s office who shall verify the time records submitted using the available time records. An eligible employee shall provide any required written justification required to be submitted to the Treasury. All request for payment shall be submitted on or before December 31, 2022.

The following premium pay and associated procedures are approved, along with the needed appropriation from the ARPA funds for payments to city employees in the following manner, subject to the restrictions set forth herein:

Premium pay for Qualifying Employees	\$3,000,000
A onetime lump sum payment covering the approximate 2 ½ + year period from March 19, 2020 through September 30, 2022	
Sworn Members of the Anderson Police Department	\$7,500
Sworn Members of the Anderson Fire Department	\$7,500
Full-time employees and Part-time bus Drivers with CATS	\$7,500
Anderson City Hall Utility Employees	\$7,500
Municipal Department Employees	\$6,000
Economic Department Employees	\$6,000
Anderson Police Department non-sworn office employees	\$3,500
Anderson Fire Department non-sworn office employees	\$3,500

Power and Light non-supervisor Employees	\$5,000
Power and Light supervisors	\$3,500
Street Department Employees	\$5,000
Water Pollution Control Employees	\$6,000
Water Department Employees	\$5,000
Park Department non-supervisor in-field employees	\$5,000
Park Department in-field supervisors	\$5,000
Park Department office and non-field employees	\$3,500
Airport Employees	\$5,000
Maintenance Employees (all departments)	\$6,000
Court Employees	\$5,000
City Clerk employees assigned to city court	\$5,000
City Clerk's city hall employees	\$3,500
Community Development Department Employees	\$3,500
IT Department employees	\$3,500
City Engineer employees	\$3,500
Legal department employees	\$3,500
Human Relations Department employees	\$3,500
Human Resources, Personnel, and Insurance Dept. employees	\$3,500
Controller Department employees	\$3,500
Board of Works employees	\$3,500
Mayor's office employees	\$3,500
Anderson TV Employees	\$3,500
Contract Employees paid hourly	\$3,500
Seasonal, part-time, temporary, or hourly employees (not otherwise covered)	\$3,500

To be qualified for said premium payment the individual must either be a current employee of the City of Anderson, or be a past or present employee who worked between the time period of March 19, 2020 and September 30, 2022 and during said time period worked a job in which they were required to continue to work with regular interactions with the public or coworkers in the performance of their job duties; and/or incurred regular physical handling of items that were handled by the public, or coworkers of the individual that was/is performing the work. An employee qualified here under for premium pay shall receive an additional \$13.00 per hour for all times worked during said qualifying times and conditions, provided said amounts shall be capped as set forth above. To receive the maximum capped amounts set forth above an employee must have worked during said times and under said conditions for the following minimum number of hours:

\$7500.00	577 hours
\$6000.00	462 hours
\$5,000.00	385 hours
\$3,500.00	270 hours

Employees who worked less hours than the minimum set forth above shall be paid \$13.00 for all regular hours worked. No additional pay will be paid for extra hours worked beyond said capped amounts.

These one-time payments are for any city employee during the time periods noted, subject to the criteria set forth herein. Elected officials are not eligible for payments.

A person is part-time, seasonal, or temporary employee, as determined by the records shown in personnel records of the City of Anderson. A part-time employee shall include any employee who receives or is entitled to receive health insurance through the city.

Pursuant to Federal law and city policy these payments are taxable. However, they do not become part of an employee’s base pay nor shall they increase pension benefits of an employee. Therefore, the employee is not required to make any pension contribution due to the payment nor shall the employer make any contribution or report same to PERF unless required by law.

EC 5.0 Infrastructure- Water Project \$9,000,000

Investment in the infrastructure of the City of Anderson is paramount to its continued success and viability as a community. The cost of major infrastructure projects can create major financial hardships on a community. Presently the city needs substantial investment into its

clean drinking water production and delivery capability, along with improvements in its aging infrastructure. Despite the building of a new water treatment plant in 2019, its continuing replacement and repair of aging water lines, and its continual search for new clear and abundant water more is needed to be done. As discussed in the public meeting for example, it would cost over \$200 million dollars to replace all of the aging water lines. A new water plant on the southside of Anderson and accompanying water delivery system would cost well over \$80 million dollars and a long-term plan addressing realistic needs for the Northside water delivery system would cost nearly \$180 million dollars. While the city is not in a financial condition to address all these needs all at once, we can continue our efforts in a more robust manner, while holding down some of these costs thanks to the availability of ARP funds. The city has been working steadily since 2016 to meet these long-term goals. The new Lafayette Water Treatment plant was completed and brought on-line in 2019. It was intentionally built with the ability to expand the plant upon discovery of new water sources. The replacement of the Homestead Addition waterlines, and introduction of new water suppression capacity was completed in 2016. The city has been involved in searching for an appropriate new well sources and have been conducting hydrological studies on the north and south sides of town for well-over four years. We have located a well source on the northside and are presently in the final test stages for the well. Nearly two years ago we began a detailed rate study, taking into account our realistic needed capital improvements to our water infrastructure. While this process was going on the ARPA was passed by Congress, giving the city a realistic opportunity to make more of these improvements quicker while holding down costs for all citizens who use and rely on safe, clean drinking water. APRA recognizes the importance of infrastructure to a community. The city of Anderson can now use this portion of the ARPA funds to provide for a major expansion of its Lafayette Water plant, installation of new well-fields, hydrogeology, engineering, transmission and distribution from Lafayette Plant and replacement of aging water mains and related infrastructure which will allow for increased capacity and new transmission and distribution of quality water for the community. This project will be an essential part of the long-term stability of the community and will enhance our economic development opportunities, as well as aid the community in our tourism, travel, and hospitality industry efforts. The expansion of water capacity will aid the city in attracting new residents, and provide to new home, commercial and industrial developers the water capacity they need. This portion of the project is anticipated to cost \$32-33 million dollars. It will include new wells in the Lafayette wellfield and Fifteen Thousand (15,000) feet of 20" DI Water line for the new wells; an expansion of the Lafayette Treatment Plant to allow for 14 MGD (Million gallons per day); installation of transmission and distribution mains or other infrastructure that will be required to complete the intended project. The city plans to utilize, with Redevelopment Commission approval, available TIF funds to fund the project not covered by ARPA and rate payer funds that will include a contingency for future needs and funding for aged equipment. The city will seek the most advantageous funding sources for the balance of needed funds including application for a State Revolving Loan (SRL) funded through the Infrastructure Investment and Jobs Act. This SRL will have the potential of a lower rate of interest than a

conventional bond and may have some portion provided as a grant. By utilizing the ARP and TIF funds in this fashion, we will be able to both lessen the additional amount that would otherwise have to be borrowed at this time and we can mitigate the anticipated rate increase in our water utility. The investment of these ARP funds will hold down any such increase resulting in a saving to all the citizens of Anderson who are our rate customers. According \$9,000,000 is appropriated for the purposes stated herein.

EC 2.9 Small Business and Restaurants assistance

\$2,200,000

Due to the negative impact of COVID-19 to our local restaurants and small businesses, which are a vital part of our local economy, and our local tourism, travel, and hospitality industries; financial assistance for these groups is necessary to allow for their long-term sustainability. A total of \$2,200,000.00 of ARP Funds are allocated and approved to assist eligible owners of said small businesses and restaurants located within the city limits of Anderson to respond to the public health emergency with respect to COVID-19 and/or its negative economic impacts including, but not limited to, mitigation of financial hardship and implementation of COVID-19 prevention or mitigation tactics. Accordingly, \$2,200,00 is appropriated for the purposes stated herein.

An ARP Small Business and Restaurant Assistance Committee consisting of eight (8) members is established. The Anderson City Common Council shall select two (2) members of the committee and the mayor of the city shall select two (2) members of the committee. All members so appointed to the committee shall be made up of residents of the City of Anderson. In addition, two (2) members of the committee shall be the Director of Community Development (or designated office staff) for the City of Anderson and the Director of Economic Development (or designated office staff) for the City of Anderson and two (2) members of the committee shall be made up of two (2) members of the Anderson City Council, as appointed by the President of the council. The committee shall establish criteria for eligibility for the grants utilizing the requirements and guidelines set forth in the American Rescue Plan Act and the final rule of the United States Department of Treasury, with guidance from the City of Anderson legal department. The Committee shall establish web-based procedures to accept applications. The City of Anderson legal department will provide legal guidance to the committee on legal matters associated with the committees' actions. The City of Anderson IT department will cause an appropriate web-based portal/link through its City of Anderson website to be established for the purpose of accepting applications. Requirements shall include that all recipients shall be residents of the city of Anderson or doing their primary business in the city of Anderson and their business shall be located within the City of Anderson. Said recipients must not discriminate based on age, sex, religion, national origin, disability, economic status, or sexual orientation. To help avoid any potential conflict of interest, committee members shall be screened to ensure neither they or their family have any pecuniary interest in the grant request or affected business. The committee shall establish

a deadline for the acceptance of applications. The criteria to be considered shall be advertised via the City website and on the application page. Grant recipients shall be required to timely comply with reporting requirements under ARPA and United States Treasury requirements.

Upon the application process becoming operational the Grant Committee will review applications and score each using a rubric, which will include the criteria developed by the committee with approval of legal counsel for the city. The committee will meet, discuss scores, and make funding determination upon a majority vote of the committee. A majority of the committee shall constitute a quorum. Grant recipients who are selected will be provided a funding grant agreement and a reporting form, which shall be executed and returned to the controller of the city prior to the disbursement of Grant proceeds. Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule of the Treasury, and the city of Anderson plan.

All decisions of the Grant Committee are subject to appeal upon request of the applicant. In the case of a tie vote the grant application may, upon request of the applicant, be submitted to the mayor for consideration of breaking the tie vote, and in the event the mayor declines or does not vote in favor of the request, then in either event, the applicant may request the Anderson City Council to review the original application and they may thereafter vote to approve or deny the request. Further, any other adverse decision by the committee or the mayor, may upon request of the applicant be appealed to the Anderson City Council, who shall upon said application review the request and thereafter vote to approve or deny the request. Any action to approve by council, during such review, shall be in resolution form and shall be subject to mayor approval or veto, as provided for by law, which shall be subject to veto override provisions as provided for by law. Any actions by the mayor or the city council under these appeal provisions shall include a detailed reason for their action and decision and any such approval shall be subject to the requirements of ARPA, the final rule of the Treasury and the provisions of this approved plan. The mayor shall act on any appeal request no later than 7 days from said request, exclusive of weekends or holidays. The city council shall act on any appeal request no later than 10 days from said request, exclusive of weekends or holidays. No other appeal process shall be allowed. All requests for any appeal must be made in writing within 10 days of notice of any adverse decision by the committee or the mayor. The appeal request shall be delivered to the Anderson City Clerk who shall promptly deliver same to the mayor, or the city council, which ever shall be applicable. All decisions upon recipients' applications shall be in writing and mailed to the applicants addresses set forth upon the application. Mailings may be made by regular US mail postage pre-paid.

Upon request of the Economic Development Department Director, the Director of Community Development Department or upon recommendation of the committee the City of Anderson may contract, through the Anderson Board of Public works, and with approval of the mayor, with other entities or individuals to assist in the administration of this grant program and grant process, the carrying out of the intended mission of this program and the approved grants. Any costs associated with said action may be paid from the administrative portion of this plan,

subject to approval of any such contract by the Board of Public Works. Any claims shall be processed and paid in the same manner as any other claim made.

EC 2.1 Non-profit Organizations

\$2,200,000

The COVID-19 pandemic adversely impacted the local non-profit community, which provide necessary services and resources to the citizens of the city of Anderson. The continuation of these services and resources provided by non-profits is vital to communities' recovery from the COVID-19 pandemic, the negative health consequences of the pandemic and the general well-being of the community. A total of \$2,200,000.00 of ARP Funds are allocated and appropriated for use by certain non-profit organizations provided they are located within the city limits of the City of Anderson, or directly benefit the citizens of Anderson, to respond to the public health emergency with respect to COVID-19 and/or its negative impacts including, but not limited to, mitigation of financial hardship and implementation of COVID-19 prevention or mitigation tactics.

An ARP Non-Profit Grant Committee consisting of eight (8) members is established. The Anderson City Common Council shall select two (2) members of the committee and the mayor of the city shall select two (2) members of the committee. All members so appointed to the committee shall be made up of residents of the City of Anderson. In addition, two (2) members of the committee shall be the Director of Community Development (or designated office staff) for the City of Anderson and the Director of Economic Development (or designated office staff) for the City of Anderson and two (2) members of the committee shall be made up of two (2) members of the Anderson City Council, as appointed by the President of the council. The committee shall establish criteria for eligibility for the Non-Profit Grants utilizing the requirements and guidelines set forth in the American Rescue Plan Act and the final rule of the United States Department of Treasury, with guidance from the City of Anderson legal department. The Committee shall establish web-based procedures to accept applications. The City of Anderson legal department will provide legal guidance to the committee on legal matters associated with the committees' actions. The City of Anderson IT department will cause an appropriate web-based portal/link through its City of Anderson website to be established for the purpose of accepting applications. Requirements shall include that all recipient nonprofits be located within the City of Anderson or be providing benefits for the residents of the city of Anderson and, be a 501 (c) 3 non-profit and in good standing. Said recipients must not discriminate based on age, sex, religion, national origin, disability, economic status, or sexual orientation. The committee may invite Anderson's professional grant makers and certain non-profit organization to participate through their officers/staff for the purpose of reviewing materials, providing insight, and attending meetings. To help avoid any potential conflict of interest, committee members shall be screened to ensure neither they or their family have any pecuniary interest in the grant request or affected non-profit. Further, to avoid any potential conflict of interest, committee members shall not currently serve on any non-profit boards that would benefit directly or

indirectly from any grant and shall not be staff on any such non-profit board, nor be related to staff of applying non-profit organizations. The committee shall establish a deadline for the acceptance of applications. The criteria to be considered shall be advertised via the City website and on the application page. Grant recipients shall be required to timely comply with reporting requirements under ARPA and United States Treasury requirements.

Upon the application process becoming operational the Grant Committee will review applications and score each using a rubric, which will include the criteria developed by the committee with approval of legal counsel for the city. The committee will meet, discuss scores, and make funding determination upon a majority vote of the committee. A majority of the committee shall constitute a quorum. Grant recipients who are selected will be provided a funding grant agreement and a reporting form, which shall be executed and returned to the controller of the city prior to the disbursement of Grant proceeds. Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule of the Treasury, and the city of Anderson plan.

All decisions of the Grant Committee are subject to appeal upon request of the applicant. In the case of a tie vote the grant application may, upon request of the applicant, be submitted to the mayor for consideration of breaking the tie vote, and in the event the mayor declines or does not vote in favor of the request, then in either event, the applicant may request the Anderson City Council to review the original application and they may thereafter vote to approve or deny the request. Further, any other adverse decision by the committee or the mayor, may upon request of the applicant be appealed to the Anderson City Council, who shall upon said application review the request and thereafter vote to approve or deny the request. Any action to approve by counsel, during such review, shall be in resolution form and shall be subject to mayor approval or veto, as provided for by law, which shall be subject to veto override provisions as provided for by law. Any actions by the mayor or the city council under these appeal provisions shall include a detailed reason for their action and decision and any such approval shall be subject to the requirements of ARPA, the final rule of the Treasury and the provisions of this approved plan. The mayor shall act on any appeal request no later than 7 days from said request, exclusive of weekends or holidays. The city council shall act on any appeal request no later than 10 days from said request, exclusive of weekends or holidays. No other appeal process shall be allowed. All requests for any appeal must be made in writing within 10 days of notice of any adverse decision by the committee or the mayor. The appeal request shall be delivered to the Anderson City Clerk who shall promptly deliver same to the mayor, or the city council, which ever shall be applicable. All decisions upon recipients' applications shall be in writing and mailed to the applicants addresses set forth upon the application. Mailings may be made by regular US mail postage pre-paid.

Upon request of the Economic Development Department Director, the Director of Community Development or upon recommendation of the committee the City of Anderson may contract, through the Anderson Board of Public works, and with approval of the mayor, with other entities or individuals to assist in the administration of this grant program and grant process,

the carrying out of the intended mission of this program and the approved grants. Any costs associated with said action may be paid from the administrative portion of this plan, subject to approval of any such contract by the Board of Public Works. Any claims shall be processed and paid in the same manner as any other claim made.

EC (2.2. 2.1, 2.4) Homeowner Assistance (financial assistance to households, home repairs, utility assistance, rent assistance, mortgage assistance, down payment assistance, internet connectivity assistance, food programs to address food insecurity) \$2,250,000

The COVID-19 pandemic is forcing families to make difficult choices, and often the quality of their housing is left behind. Deferred maintenance has a negative impact on our neighborhoods, property values and the quality of life of our citizens. ARPA relief can give city residents the help needed to invest in their homes. Quality of place living will aid in the enhancement of the lives of our children and their families. Financial assistance to households, including home repairs, utility assistance, rent assistance, mortgage assistance, down payment assistance, internet connectivity assistance, and funding for food programs and food to address food insecurity. A total of \$2,250,000 is allocated and appropriated for these purposes.

An ARP Homeowner Assistance Grant Committee consisting of eight (8) members is established. The Anderson City Common Council shall select two (2) members of the committee and the mayor of the city shall select two (2) members of the committee. All members so appointed to the committee shall be made up of residents of the City of Anderson. In addition, two (2) members of the committee shall be the Director of Community Development (or designated office staff) for the City of Anderson and the Director of Economic Development (or designated office staff) for the City of Anderson and two (2) members of the committee shall be made up of two (2) members of the Anderson City Council, as appointed by the President of the council. The committee shall establish criteria for eligibility for Homeowner and related assistance, including, including home repairs, utility assistance, rent assistance, mortgage assistance, down payment assistance, internet connectivity assistance, and funding for food programs and food to address food insecurity utilizing the requirements and guidelines set forth in the American Rescue Plan Act and the final rule of the United States Department of Treasury, with guidance from the City of Anderson legal department. The Committee shall establish web-based procedures to accept applications. The City of Anderson legal department will provide legal guidance to the committee on legal matters associated with the committees' actions. The City of Anderson IT department will cause an appropriate web-based portal/link through its City of Anderson website to be established for the purpose of accepting applications. Requirements shall include that all recipients shall be residents of the city of Anderson. Additionally, recipients must not discriminate based on age, sex, religion, national origin, disability, economic status, or sexual orientation. To avoid any potential conflict of interest, committee members shall be screened to ensure neither they or their family have any pecuniary interest in the grant

request or affected property. The committee shall establish a deadline for the acceptance of applications. The criteria to be considered shall be advertised via the City website and on the application page. Grant recipients shall be required to timely comply with reporting requirements under ARPA and United States Treasury requirements.

Upon the application process becoming operational the Grant Committee will review applications and score each using a rubric, which will include the criteria developed by the committee with approval of legal counsel for the city. The committee will meet, discuss scores, and make funding determination upon a majority vote of the committee. A majority of the committee shall constitute a quorum. Grant recipients who are selected will be provided a funding grant agreement and a reporting form, which shall be executed and returned to the controller of the city prior to the disbursement of Grant proceeds. Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule of the Treasury, and the city of Anderson plan.

All decisions of the Grant Committee are subject to appeal upon request of the applicant. In the case of a tie vote the grant application may, upon request of the applicant, be submitted to the mayor for consideration of breaking the tie vote, and in the event the mayor declines or does not vote in favor of the request, then in either event, the applicant may request the Anderson City Council to review the original application and they may thereafter vote to approve or deny the request. Further, any other adverse decision by the committee or the mayor, may upon request of the applicant be appealed to the Anderson City Council, who shall upon said application review the request and thereafter vote to approve or deny the request. Any action to approve by counsel, during such review, shall be in resolution form and shall be subject to mayor approval or veto, as provided for by law, which shall be subject to veto override provisions as provided for by law. Any actions by the mayor or the city council under these appeal provisions shall include a detailed reason for their action and decision and any such approval shall be subject to the requirements of ARPA, the final rule of the Treasury and the provisions of this approved plan. The mayor shall act on any appeal request no later than 7 days from said request, exclusive of weekends or holidays. The city council shall act on any appeal request no later than 10 days from said request, exclusive of weekends or holidays. No other appeal process shall be allowed. All requests for any appeal must be made in writing within 10 days of notice of any adverse decision by the committee or the mayor. The appeal request shall be delivered to the Anderson City Clerk who shall promptly deliver same to the mayor, or the city council, which ever shall be applicable. All decisions upon recipients' applications shall be in writing and mailed to the applicants addresses set forth upon the application. Mailings may be made by regular US mail postage pre-paid.

Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule, and the city of Anderson.

Upon request of the Economic Development Department Director, the Director of Community Development or upon recommendation of the committee the City of Anderson may contract, through the Anderson Board of Public works, and with approval of the mayor with other

entities or individuals to assist in the administration of this grant program and grant process, the carrying out of the intended mission of this program and the approved grants. Any costs associated with said action may be paid from the administrative portion of this plan, subject to approval of any such contract by the Board of Public Works. Any claims shall be processed and paid in the same manner as any other claim made.

EC 3.10 Affordable housing

\$2,250,000

The City of Anderson needs additional affordable housing. The COVID-19 Pandemic has heightened this need. The City of Anderson will provide Grant(s) up to an aggregate of \$2,250,000 to a qualifying entity or entities that will build or remodel appropriate structures that will supply affordable quality housing for residents of Anderson. Accordingly, \$2,250,000 is appropriated for said purpose.

This shall include a grant to Anderson Housing, Inc., a 501 (C) (3) domestic nonprofit, the nonprofit arm of the Anderson Housing Authority. Anderson Housing, Inc. is in the process of redeveloping Lincolnshire Flats (formerly Lincolnshire Apartments). The City of Anderson, through its Anderson Redevelopment Commission has provided \$700,000 to the project, however, due to unexpected costs associated with COVID-19 supply chain issues Anderson Housing, Inc. has requested additional assistance from ARPA funds in the amount of **\$550,000**. Said request is approved and said sums shall be appropriated, subject to Anderson Housing, Inc. complying with the formal application process, set forth herein.

An ARP Affordable Housing Grant Committee consisting of eight (8) members is established. The Anderson City Common Council shall select two (2) members of the committee and the mayor of the city shall select two (2) members of the committee. All members so appointed to the committee shall be made up of residents of the City of Anderson. In addition, two (2) members of the committee shall be the Director of Community Development (or designated office staff) for the City of Anderson and the Director of Economic Development (or designated office staff) for the City of Anderson and two (2) members of the committee shall be made up of two (2) members of the Anderson City Council, as appointed by the President of the council. The committee shall establish criteria utilizing the requirements and guidelines set forth in the American Rescue Plan Act and the final rule of the United States Department of Treasury, with guidance from the City of Anderson legal department. The committee shall work with entities, including developers to identify additional appropriate recipients of these funds. The objective will be for the development of multifamily properties, but consideration to single family residence will be given. The Anderson Housing Authority may be consulted and considered a potential partner/recipient. All potential recipients shall be required to provide housing units that are qualifying as affordable housing under Housing Urban Development (HUD) standards.

The Committee shall establish web-based procedures to accept applications. The City of Anderson legal department will provide legal guidance to the committee on legal matters

associated with the committees' actions. The City of Anderson IT department will cause an appropriate web-based portal/link through its City of Anderson website to be established for the purpose of accepting applications. Additionally, recipients must not discriminate based on age, sex, religion, national origin, disability, economic status, or sexual orientation. To avoid any potential conflict of interest, committee members shall be screened to ensure neither they or their family have any pecuniary interest in the grant request or affected property. The committee shall establish a deadline for the acceptance of applications. The criteria to be considered shall be advertised via the City website and on the application page. Grant recipients shall be required to timely comply with reporting requirements under ARPA and United States Treasury requirements.

Upon the application process becoming operational the Grant Committee will review applications and score each using a rubric, which will include the criteria developed by the committee with approval of legal counsel for the city. The committee will meet, discuss scores, and make funding determination upon a majority vote of the committee. A majority of the committee shall constitute a quorum. Grant recipients who are selected will be provided a funding grant agreement and a reporting form, which shall be executed and returned to the controller of the city prior to the disbursement of Grant proceeds. Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule of the Treasury, and the city of Anderson plan.

All decisions of the Grant Committee are subject to appeal upon request of the applicant. In the case of a tie vote the grant application may, upon request of the applicant, be submitted to the mayor for consideration of breaking the tie vote, and in the event the mayor declines or does not vote in favor of the request, then in either event, the applicant may request the Anderson City Council to review the original application and they may thereafter vote to approve or deny the request. Further, any other adverse decision by the committee or the mayor, may upon request of the applicant be appealed to the Anderson City Council, who shall upon said application review the request and thereafter vote to approve or deny the request. Any action to approve by counsel, during such review, shall be in resolution form and shall be subject to mayor approval or veto, as provided for by law, which shall be subject to veto override provisions as provided for by law. Any actions by the mayor or the city council under these appeal provisions shall include a detailed reason for their action and decision and any such approval shall be subject to the requirements of ARPA, the final rule of the Treasury and the provisions of this approved plan. The mayor shall act on any appeal request no later than 7 days from said request, exclusive of weekends or holidays. The city council shall act on any appeal request no later than 10 days from said request, exclusive of weekends or holidays. No other appeal process shall be allowed. All requests for any appeal must be made in writing within 10 days of notice of any adverse decision by the committee or the mayor. The appeal request shall be delivered to the Anderson City Clerk who shall promptly deliver same to the mayor, or the city council, which ever shall be applicable. All decisions upon recipients' applications shall be in writing and mailed to the applicants addresses set forth upon the application. Mailings may be made by regular US mail postage pre-paid.

Upon request of the Economic Development Department Director, the Director of Community Development or upon recommendation of the committee the City of Anderson may contract, through the Anderson Board of Public works, and with approval of the mayor with other entities or individuals to assist in the administration of this grant program and grant process, the carrying out of the intended mission of this program and the approved grants. Any costs associated with said action may be paid from the administrative portion of this plan, subject to approval of any such contract by the Board of Public Works. Any claims shall be processed and paid in the same manner as any other claim made.

EC 1.10, 2, and 3 Homeless initiatives

\$900,000

Like most communities across the country the City of Anderson is not immune from the heartbreak and realities of Homelessness. The COVID-19 pandemic has exacerbated this persistent problem and the injection of \$900,000 of ARP Funds will be utilized to develop initiatives that work to alleviate and mitigate the causes of homelessness and seek to develop solutions that will provide hope and opportunity for those affected. In addition to these funds the Anderson City Community Development Department has been awarded \$1.3 million dollars in HOME ARP funds for homelessness. Homelessness is the product of many factors. Mental health issues, substance abuse, the lack of needed funds, education, and housing are some of the aspects of homelessness. Homeless not only effects the individuals themselves, but also their families, local community citizens and businesses. A holistic approach is needed to address this growing issue.

An ARP Homeless Committee consisting of eight (8) members is established. The Anderson City Common Council shall select two (2) members of the committee and the mayor of the city shall select two (2) members of the committee. All members so appointed to the committee shall be made up of residents of the City of Anderson. In addition, two (2) members of the committee shall be the Director of Community Development (or designated office staff) for the City of Anderson and the Director of Economic Development (or designated office staff) for the City of Anderson and two (2) members of the committee shall be made up of two (2) members of the Anderson City Council, as appointed by the President of the council. The committee may upon majority vote add additional non-voting members to the committee. The committee shall work with the administration, and any non-profit or other organization who has expertise in any of the fields that are associated with homelessness. The committee shall establish criteria for eligibility for entities that are allowed by the ARPA and the final rule of the Treasury to receive Grants for the purpose of offering programs to meet this challenge. The Committee shall establish web-based procedures to accept applications. The City of Anderson legal department will provide legal guidance to the committee on legal matters associated with the committees' actions. The City IT department will cause an appropriate web-based portal/link through its City of Anderson website to be established for the purpose of accepting applications. Requirements shall include that all recipient nonprofits be located within the City of Anderson or that they provide services to the citizens of Anderson and be a 501 (c) 3 non-profit and in good standing.

Other legally recognized organizations, that are located in the City of Anderson, or who provide services in the City of Anderson, who are qualified to receive funds under ARPA may also be applicants. Individuals may apply for this Grant, provided they presently reside in the City of Anderson. Any recipient must not discriminate based on age, sex, religion, national origin, disability, economic status, or sexual orientation. The committee may invite Anderson's professional grant makers, certain non-profit organization, or other entities or individuals to participate through their officers/staff for the purpose of reviewing materials, providing insight, and attending meetings. The committee shall establish a deadline for the acceptance of applications. No applicant may be discriminated against based on age, sex, religion, national origin, disability, economic status, or sexual orientation. The criteria to be considered shall be advertised via the City website and on the application page. Grant recipients shall be required to comply with reporting requirements in a timely manner under ARPA, United States Treasury and City of Anderson requirements.

The committee shall, among other things, also consider short term solutions to housing needs of the homeless, mental health and addiction services, and educational and employment training and resources.

The committee will meet to work to develop initiatives to address these issues. Upon the application process becoming operational the Grant Committee will review applications and score each using a rubric, which will include the criteria developed by the committee with approval of legal counsel for the city. The committee will meet, discuss scores, and make funding determination upon a majority vote of the committee. A majority of the committee shall constitute a quorum. Grant recipients who are selected will be provided a funding grant agreement and a reporting form, which shall be executed and returned to the controller of the city prior to the disbursement of Grant proceeds. Grant recipients shall comply timely with all reporting requirements required by ARPA, the final rule of the Treasury, and the city of Anderson plan.

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any appeal request no later than 10 days from said request, exclusive of weekends or holidays. No other appeal process shall be allowed. All requests for any appeal must be made in writing within 10 days of notice of any adverse decision by the committee or the mayor. The appeal request shall be delivered to the Anderson City Clerk who shall promptly deliver same to the mayor, or the city council, which ever shall be applicable. All decisions upon recipients' applications shall be in writing and mailed to the applicants addresses set forth upon the application. Mailings may be made by regular US mail postage pre-paid.

Upon request of the Economic Development Department Director, the Director of Community Development or upon recommendation of the committee the City of Anderson may contract, through the Anderson Board of Public works, and with approval of the mayor with other entities or individuals to assist in the administration of this grant program and grant process, the carrying out of the intended mission of this program and the approved grants. Any costs associated with said action may be paid from the administrative portion of this plan, subject to approval of any such contract by the Board of Public Works. Any claims shall be processed and paid in the same manner as any other claim made.

EC 7.1 Administrative

\$705,605.00

Other, Miscellaneous, plus any accrued interest earned.

\$600,000.00

The ARPA requires strict adherence to a multitude of rules and regulations. Record keeping, and documentation is essential to ensuring compliance with the act and its requirements. The act provides a fair and reasonable amount of flexibility to communities but makes it clear that equitable application is expected, and, in the end, the municipal recipient of the initial funds is responsible for the conducting of the reporting requirements under the law. In many respects the projected plans that seek to meet the goals of the act are complex and ultimately time consuming. While the city of Anderson has several capable departments and employees, it does not have enough employees to oversee the multitude of procedures and processes needed in this unexpected, but exciting undertaking. As noted, the act requires that all funds be obligated by December 31, 2024 and be expended by December 31, 2026. By necessity reporting may well go beyond these time periods. To manage the various aspects of the act and the anticipated plan the need for additional employees and/or professional help will be required. It is anticipated that additional help will be required in the Community Development Office and/or Economic Development Office or by other professionals and that assistance will be needed for a period until at least December 31, 2026. This staff and/or professional assistance will aid in the overseeing of this plan, in association with department oversight of the various programs established in this plan. The plan sets aside the sum \$705,605.00 for the securing of these services and for the costs of administration of this plan. Accordingly, \$705,605.00 is appropriated for said purpose.

Additionally, the sums set forth in this plan and appropriated, pursuant to the plan are an estimate. Until the plan is fully implemented, and applicants are given an opportunity to apply it will not be fully known if there are areas of over or under funding, and therefore, the remaining amount of funds from ARPA in the sum of \$600,000 are set aside herein for possible additional inclusion in categories that are underfunded, for administrative costs that are not funded or other future uses under this or a subsequent amended plan. According \$600,000 is appropriated for the purposes stated herein.

Additionally, the funds received have been deposited, from the time of receipt, and are accruing interest. The accrued interest shall become part of the available funds for use under the plan and therefore, any such funds are hereby approved for expenditure under this plan and any such amounts are hereby appropriated for said purposes.