

RESOLUTION NO. 20-28

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AUTHORIZING THE ALLOCATION OF FUNDS, IN THE AMOUNTS AND FOR THE PURPOSES AS APPROVED BY THE CITY'S REVIEW COMMITTEE, TO BUSINESSES THROUGH THE MARICOPA BUSINESS REEMERGENCE PROGRAM AND TO NON-PROFITS THROUGH THE MARICOPA FOOD & AID DISTRIBUTION NON-PROFIT ASSISTANCE FUNDED THROUGH THE AZCARES ALLOCATION OF FEDERAL FUNDING PASSED THROUGH THE STATE OF ARIZONA TO THE CITY OF MARICOPA AND APPROVING THE AZCARES GRANT AGREEMENT FOR EACH RECIPIENT OF SUCH FUNDS.

WHEREAS, on March 11, 2020, Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak presents conditions in Arizona that justified his declaration of a State of Emergency; and

WHEREAS, on March 13, 2020, the President of the United States of America, Donald J. Trump, found and proclaimed that the COVID-19 outbreak in the United States constituted a national emergency; and

WHEREAS, on March 20, 2020, pursuant to the Code of the City of Maricopa, Arizona ("City Code"), Section 2-34(d), and A.R.S. Section 26-311(A), the Mayor of the City of Maricopa, Christian Price, declared that a local emergency exists throughout the City of Maricopa, Arizona due to the COVID-19 outbreak which presents conditions in the City that endanger life; and

WHEREAS, the State of Arizona received \$1.86 billion in coronavirus relief funding from the federal government, \$441 million of which was allocated to provide relief to cities, towns and counties that did not receive federal funding directly, known as the AZ Cares Fund; and

WHEREAS, the City of Maricopa received \$5,984,522 of AZ Cares funds from the State of Arizona ("AZ Cares Funds") and the City believes that designating a portion of these funds to small businesses who are purchasing personal protective equipment (PPE) or were required to pay rent during the Governor's Stay Home, Stay Healthy and Stay Connected Order and to non-profits who have assisted citizens during the pandemic enhances the public health and safety of the community and is in the best interest of the City; and

WHEREAS, according to the Grant Agreement Terms and Conditions, the purpose of the AZ Cares Fund was the "distribution to local Arizona jurisdictions of federal financial assistance from the U.S. Department of Treasury's Coronavirus Relief Fund (CRF), Catalog of Federal Domestic Assistance (CFDA) number 21.019, as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act;" and

WHEREAS, according to guidance issued by the Department of Treasury, grants to small businesses which faced interruption caused by required closures are considered eligible expenses

under the CARES Act; and

WHEREAS, the guidance provided by the Governor Ducey's Office indicated that the AZ Cares funds were to be direct, flexible funding to local governments and the purpose of the AZCares Fund was to provide local jurisdictions as much financial flexibility as possible while not duplicating other federal funding streams; and

WHEREAS, the Governor's Office further indicated that "once the local jurisdiction has reimbursed the previously incurred public health and public safety cost, they are free to deploy the local resources to any purpose decided upon by that jurisdiction;" and

WHEREAS, the City's Business Reemergence Program is limited to rent assistance during the Stay Home, Stay Healthy and Stay Connected issued by Governor Doug Ducey on March 30, 2020 and reimbursement for the purchase of PPE which promotes community health and safety; and

WHEREAS, the City's Food & Aid Distribution Non-Profit Assistance is limited to non-profit entities that have supported the citizens and promoted community health and safety of the City of Maricopa during this emergency; and

WHEREAS, the City may appropriate and spend public monies in connection with economic development activities and the Mayor and City Council finds that the expenditures of AZ Cares Funds to small businesses and non-profits will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the citizens of the City of Maricopa; and

WHEREAS, pursuant to A.R.S. Section 36-190 a city or town may provide services to its residents beyond the basic level of service provided by the County Department of Health to provide public health services to its residents; and

WHEREAS, the City may appropriate and spend public monies in connection with economic development activities and the Mayor and City Council finds that the expenditures of AZ Cares Funds to small businesses and non-profits will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the citizens of the City of Maricopa; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with staff, that the allocation of funds in compliance with the Maricopa Business Reemergence Program and the Maricopa Food & Aid Distribution Non-Profit Assistance Fund would be in the best interest of the City, will promote the general public health and safety of the community, and will assist local businesses and non-profits that were ordered to close because of the Governor's order which will further promote the health and safety of the overall community.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Maricopa, Arizona, as follows:

Section 1. AZ Cares Funds, as federal funds passed through the State from the federal government, shall be allocated in compliance with the Maricopa Business Reemergence Program

to the recipients and in the amounts approved by the Review Committee as set forth on the attached.

Section 2. AZ Cares Funds, as federal funds passed through the State from the federal government, shall be allocated in compliance with the Maricopa Food & Aid Distribution Assistance to the recipients and in the amounts approved by the Review Committee as set forth on the attached.

Section 3. The AZ Cares Grant Agreement, in substantially the same form as attached hereto, shall be signed by each recipient prior to receiving any allocation of AZ Cares Funds from the City.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 15th day of July, 2020.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney