

Item #: _____

Prepared by: Megan J. Smith

Reviewed by: Marlinee C. Iverson

Moved by: _____

Seconded by: _____

RESOLUTION AMENDING RESOLUTION NO. 4 ADOPTED MAY 27, 2020 PERTAINING TO THE SHELBY COUNTY MUNICIPAL RELIEF FUND TO THE EXTENT FUNDING ALLOCATED FROM THE FISCAL YEAR (FY) 2020 OPERATING BUDGET AND CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ("CARES") ACT IN AN UPFRONT DISBURSEMENT OF FUNDS IN AN AMOUNT NOT TO EXCEED \$6,056,000.00 IN ORDER FURTHER SUPPORT THE MUNICIPAL RESPONSE TO THE COVID-19 PANDEMIC. SPONSORED BY CHAIRMAN MARK BILLINGSLEY, COMMISSIONER AMBER MILLS, AND COMMISSIONER MICK WRIGHT.

WHEREAS, the Coronavirus Disease (COVID-19) is a respiratory disease that was declared a global pandemic by the World Health Organization on March 11, 2020; and

WHEREAS, the Federal CARES Act was signed into law on March 27, 2020, and was in part available to qualifying local, state, and federal agencies to cover expenses related to unbudgeted expenditures incurred between March 1, 2020 and December 30, 2020, due to the public health emergency caused by the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, Shelby County Government (County) applied for, was awarded, and

formally accepted CARES Act funding through Resolution No. 13, adopted May 4, 2020, to directly apply to a broad range of necessary expenditures incurred by the County during the course of its pandemic response as well as second-order effects of the pandemic, such as providing economic support to those suffering from employment or business interruptions in Shelby County, Tennessee; and

WHEREAS, the Shelby County Commission appropriated \$6,056,000.00 of CARES Act funding to Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington at its May 27, 2020 special called meeting (Item #4) through its Shelby County Municipal Relief Fund (“SCMRF”); and

WHEREAS, the terms regarding appropriation of SCMRF dollars requires above named municipalities to submit invoices and be reimbursed with CARES Act funding dedicated to the SCMRF; and

WHEREAS, significant discussion was had regarding the need for funding to be distributed upfront to aid the immediate municipal response to the COVID-19 pandemic, and the County now desires to amend Resolution No. 4, adopted May 27, 2020 to provide for full and immediate upfront funding through the SCMRF, subject to each individual municipalities entering in to an Interlocal Agreement (Exhibit A) detailing the conditions set upon the funding referenced herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, that this Resolution hereby

approves the following amendment to the Shelby County Municipal Relief Fund:

The creation of the Shelby County CARES Act Relief Fund will be administered as follows: That the Shelby County Municipal Relief Fund, in an amount not to exceed \$6,056,000.00, shall be created for the cities of Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington.

- a. That the SCMRF will provide each municipality referenced above an upfront disbursement of its share of CARES Act funds to cover expenditures qualifying as an acceptable use of funds under the CARES Act not to exceed those provided for in attached Exhibit B, subject to subsection (d) herein.
- b. That any funds not spent or encumbered by the above named municipalities by September 1, 2020 shall then be returned to Shelby County Government for appropriation for other use in response to the COVID-19 pandemic on September 2, 2020, unless a municipality submits to Shelby County in writing regarding an anticipated and permissible use of such funds to occur before December 30, 2020.
- c. That the aforementioned municipalities are required to refund any expenditures made by their government that are later determined by Shelby County Government or the United States Department of the Treasury not to qualify for use of CARES Act funds to Shelby County

Government.

- d. Each municipality is required to execute an Interlocal Agreement, attached here as Exhibit A, which sets forth the conditions on receipt of funds referenced herein prior receiving its share of SCMRF dollars.

BE IT FURTHER RESOLVED, that all whereas clauses provided for above and the descriptions for use of funds established therein are hereby incorporated by reference as if fully stated herein.

BE IT FURTHER RESOLVED, that the CARES Act provides for payment of funds to cover expenditures that:

1. Are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
2. Were not accounted for in the budget most recently approved as of March 27, 2020, for the State or local government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

BE IT FURTHER RESOLVED, that the County Mayor is hereby authorized to execute any documents on behalf of Shelby County Government necessary to comply with the purposes and intent of this Resolution.

BE IT FURTHER RESOLVED, that the County Mayor and Director of

Administration and Finance be and are hereby authorized to issue their warrant or warrants to the extent of appropriations made in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, that this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06 (B), the public welfare requiring same.

Lee Harris
Shelby County Mayor

Date: _____

ATTEST:

ADOPTED: _____

Clerk of County Commission