

AUTHORIZING THE DISTRIBUTION OF AMERICAN RESCUE PLAN ACT OF 2021 FUNDS TO THE STAGE COACH PLAYERS IN THE AMOUNT OF \$25,000 FROM FUND 110 (110-00-00-63700).

WHEREAS, the City of DeKalb (the "City") is a home rule unit pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution and may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorizes intergovernmental cooperative agreements; and

WHEREAS, the American Rescue Plan Act of 2021 (the "ARPA") provided funds to the City to assist eligible non-profits in the tourism, travel, hospitality, and public amusement industries which had negative economic impacts from the COVID-19 pandemic, such as Stage Coach Players; and

WHEREAS, Stage Coach Players requested distribution of ARPA funds in the amount of \$25,000 to address its negative economic impacts from the COVID-19 pandemic; and

WHEREAS, the City's corporate authorities find that it is in the City's best interests for the protection of public health, safety, morals and welfare to approve Stage Coach Players' request for \$25,000 in ARPA Funds; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this ordinance are adopted and incorporated herein as Section One to this ordinance.

SECTION 2: The City's corporate authorities approve the distribution of \$25,000 in ARPA funds from Fund 110 to the Stage Coach Players for ARPA eligible uses including, but not limited to, responding to the negative economic impacts from the COVID-19 pandemic, subject to and contingent upon the following terms, conditions and limitations: (1) the Stage Coach Players' compliance with ARPA and all applicable rules and regulations for the eligibility, distribution, use and reporting of ARPA Funds; (2) the Stage Coach Players' agreement to defend, indemnify and hold harmless the City and the City's officers, agents and employees from and against any and all claims, damages, fines, losses, liabilities, refunds, recoupments, costs and attorney's fees relating to; or arising out of; the eligibility, distribution, use and reporting of ARPA Funds; and (3) the Stage Coach Players' acceptance of the ARPA Funds shall constitute its acceptance of the terms, conditions and limitations provided herein.

SECTION 3: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of DeKalb that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and

approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 9th day of January 2023 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant