

RESOLUTION 2021-004

A RESOLUTION AUTHORIZING AND PROVIDING PREMIUM PAY TO ELIGIBLE MUNICIPAL WORKERS UNDER THE PROVISIONS OF THE AMERICAN RESCUE PLAN ACT (ARPA) AND AUTHORIZING THE MAYOR AND CITY CLERK TO SUBMIT THE APPROPRIATE ANNUAL PROJECT AND EXPENDITURE REPORT UNDER ARPA

WHEREAS, the City of Creola, Alabama was severely impacted and continues to be impacted by the Covid 19 Virus and its variants: and

WHEREAS, on March 11, 2021, the Federal Government enacted the American Rescue Plan Act of 2021; and

WHEREAS, pursuant to provisions of the ARPA, the Department of Treasury has issued rules regarding the implementation of the Corona Virus Local Fiscal Recovery Fund; and

WHEREAS, the Mayor, as Chief Executive Officer for the City of Creola, has analyzed the job duties performed by City staff during the Covid emergency; and

WHEREAS, the Mayor has determined that all employees of the City employed from September 1, 2020 up and until September 1, 2021 are all “eligible workers” as the term is defined by the Department of Treasury Regulations since each of the employees of the City employed for the full period of time from September 1, 2020 until September 1, 2021 were workers needed to maintain continuity of operations of essential critical infrastructure and were critical to protect the health and wellbeing of the residents of the City of Creola in providing public safety, maintenance of essential critical infrastructure sectors, including drainage and roadways, health care, emergency response, sanitation, disinfection, clean-up work, assistance with activities of daily living for impacted populations within the City, social services and other vital services for the citizens during the pandemic; and

WHEREAS, the City Council is in agreement with this assessment and believes that providing appropriate “premium pay,” as the term is defined in the relevant Department of Treasury Regulations, as well as the American Rescue Plan Act of 2021 is a proper use of fiscal recovery funds; and

WHEREAS, it is the determination of the Mayor and City Council that the funds provided to the City of Creola, as a non-entitlement unit, should be used in part to pay each full-time employee who was an employee of the City of Creola from September 1, 2020, until September 1, 2021, a \$5,000.00 premium pay payment; and

WHEREAS, it is the determination of the City Council that each part-time employee employed for the period of time of September 1, 2020, through September 1, 2021, should receive a \$2,500.00 premium pay payment and

WHEREAS, it is the determination of the Mayor and City Council that funds provided to the City of Creola as a non-entitlement unit, should be used, in part, to pay each full-time employee who does not qualify for the \$5,000.00 premium payment and who has worked as a full-time employee of the City continuously a year or less from their date of hire a \$2,500.00 premium pay payment; and

WHEREAS, the Mayor is hereby authorized to make payments to all full-time and part-time employees of the City of Creola who worked for the City from September 1, 2020, until and through September 1, 2021, the said total of those payments totaling \$37,500.00 and related employer FICA payments for the premium pay totaling \$2,868.75; and

WHEREAS, the Mayor is authorized to make payment to all full-time and part-time employees of the City of Creola who worked for the City less than a year from their date of hire who did not otherwise qualify for the \$5,000.00 premium pay payment a premium pay payment of \$2,500.00, the said total of those payments totaling \$15,000.00 and related employer FICA payments for the premium pay payments totaling \$1147.50; and

WHEREAS, the Mayor and City Clerk are authorized to use fiscal recovery funds paid to the City of Creola as a non-entitlement unit for the premium pay and FICA payments; and

WHEREAS, the Mayor and City Clerk are further authorized to submit appropriate project and expenditure reports reflecting said premium pay payments to employees to include related FICA employer payments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Creola, Alabama, with the approval and execution by the Mayor, that full-time employees of the City who were employed by the City continuously from September 1, 2020, up and through September 1, 2021, shall receive a one-time premium pay payment in the amount of \$5,000.00, and \$2,500.00 for part-time employees. Full-time employees of the City who were employed less than a year from their hire date, and who otherwise do not qualify for the \$5,000.00 payment shall receive a one-time premium pay payment of \$2,500.00. Said premium pay payments shall be reduced by Federal, State or local taxes to include appropriate judicial process, if applicable. The Mayor and City Clerk are authorized to remove the funds used to pay said premium pay payments, as well as employer related FICA expenses, from the Fiscal Recovery Funds appropriated to the City pursuant to the American Rescue Plan Act of 2021 and to submit the appropriate project and expenditure reports supporting said expenditures under the Act.

ADOPTED this 23rd day of August 2021.

Approved by: _____
Mayor Don Nelson

Attest:

Marcy Brown, City Clerk