

ORDINANCE NO. 2021-1025

**AN ORDINANCE PERTAINING TO THE CORONAVIRUS LOCAL FISCAL
RECOVERY FUND**

FOR THE VILLAGE OF COBDEN

WHEREAS, the Village of Cobden, Union County, Illinois, (Village) is an Illinois municipality, eligible for funds through the Coronavirus Local Fiscal Recovery Fund through the U.S. Department of the Treasury (Treasury); and

WHEREAS, Treasury's Coronavirus Local Fiscal Recovery Fund is authorized by Section 9901 of the American Rescue Plan Act of 2021, P.L. 117-2 ("ARPA"); and

WHEREAS, as a local government recipient of financial support through ARPA, the Village is required to utilize the financial support received from Treasury for the specific purposes and in compliance with the terms and conditions required by ARPA and Treasury regulations implementing ARPA; and

WHEREAS, Treasury requires the recipients of Coronavirus Local Fiscal Recovery Funds maintain conflict of interest policies consistent with 2 C.F.R. § 200.318(c); and

WHEREAS, the corporate authorities of the Village have determined that it is advisable, necessary and in the best interest of the Village to enter into the attached Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and provide the Assurances of Compliance with Civil Rights Requirements in order to participate in and receive the funding pursuant to ARPA.

NOW, THEREFORE, be it ordained, by the Village President and Board of Trustees of the Village of Cobden as follows:

ARTICLE 1

The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

ARTICLE 2

The Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and Assurances of Compliance with Civil Rights Requirements in substantially the form of the exhibit attached hereto is hereby incorporated herein by reference, authorized and approved.

ARTICLE 3

The Village adopts the following conflict of interest provisions that shall apply to all activities and expenditures funded through the Coronavirus Local Fiscal Recovery Fund Award:

1. No officer, employee or agent of the Village may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the officer, employee, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The officers, employees and agents of the Village may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. However, the Village may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value, consistent with the State Officials and Employees Ethics Act, 5 ILCS 430/1 *et seq.*
3. The violation of these standards of conduct may result in disciplinary action for violations of such standards by officers, employees or agents of the Village, in accordance with the policies, employment contracts, contracts for services or collective bargaining agreements of the Village.
4. The Village shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
5. The Village shall disclose in writing to Tréasury any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

ARTICLE 4

The Village President is hereby authorized to execute and deliver and the Clerk is hereby authorized to attest to said execution of said Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and Assurances of Compliance with Civil Rights Requirements in substantially the form of the exhibit appended hereto as so authorized and approved for and on behalf of the Village.

ARTICLE 5

SEVERABILITY. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

ARTICLE 6

REPEAL OF CONFLICTING PROVISIONS. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

ARTICLE 7

EFFECTIVE DATE. This Ordinance shall be in full force and effect on August 16, 2021.

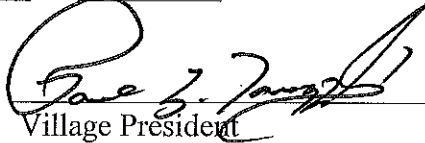
PASSED THIS 16th day of August, 2021.

AYES: 6 - Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars

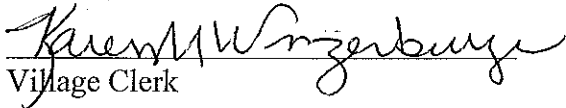
NAYS: 0

ABSENT: 0

APPROVED THIS 16th day of August, 2021.


Village President

ATTEST:


Village Clerk