

VILLAGE OF LONG GROVE
ORDINANCE NO. 2021-_____

AN ORDINANCE PERTAINING TO THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND

WHEREAS, the Village of Long Grove in Lake County, Illinois, (the “**Village**”) is an Illinois municipality that is eligible for funds through the Coronavirus Local Fiscal Recovery Fund through the U.S. Department of the Treasury (the “**Treasury**”) pursuant to 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) (the “**Federal Conflict of Interest Rules**”); and

WHEREAS, although the Village has conflict of interest policies in place that reflect the Federal Conflict of Interest Rules, the Village Board of Trustees of the Village (the “**Village Board**”) has determined that it is advisable, necessary, and in the best interest of the Village to adopt expressly the Federal Conflict of Interest Rules with respect to the use of the Coronavirus Local Fiscal Recovery Funds; and

WHEREAS, in order to participate in and receive the funding pursuant to ARPA, the Village is required to execute and deliver the “Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions” (the “**Terms and Conditions**”), the Assurances of Compliance with Civil Rights Requirements (the “**Assurances**”), and various other documents as set forth in the website [[NEU Portal \(illinois.gov\)](https://www.illinois.gov)] of the Illinois Department of Commerce and Economic Opportunity (collectively, the “**Required Documentation**”), and the Village Board desires to authorize and ratify, as appropriate, the execution and delivery of such Required Documentation;

NOW, THEREFORE, BE IT ORDAINED, BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, LAKE COUNTY, STATE OF ILLINOIS as follows:

SECTION 1: Recitals. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: Approval of Execution and Delivery of Required Documentation. The Village Board hereby approves the execution and delivery on behalf of the Village the Required Documentation (including without limitation the Terms and Conditions and Assurances) in substantially the forms provided by the Illinois Department of Commerce and Economic Opportunity; any action heretofore taken in conformity with this approval is hereby ratified. The Village Board further authorizes (and ratifies any prior action of the following persons consistent with this authorization) the Village President, Village Clerk, Deputy Village Clerk, Village Manager, or any Village employee designated in writing by the Village Manager (or any of them individually or in combination) to execute the Required Documentation on behalf of the Village.

SECTION 3: Adoption of Conflict of Interest Policy in Connection with the Use of Coronavirus Local Fiscal Recovery Funds. The Village Board hereby adopts the following conflict of interest provisions consistent with the Federal Conflict of Interest Rules that shall apply to all activities and expenditures funded through the Coronavirus Local Fiscal Recovery Fund Award:

1. No officer, official, 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, official, 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, officials, employees, or agents of the Village may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, nominal interests (as reflected in the statutory exceptions set forth in 50 ILCS 105/3 or 65 ILCS 5/3.1-55-10) 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.*, shall not be a violation of this policy.

3. The violation of these standards of conduct may result in disciplinary action for violations of such standards by officers, officials, employees, or agents of the Village in accordance with applicable law, including 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 Treasury any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

SECTION 4: 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.

Section 5: Effective Date. This Ordinance shall be in full force and effect upon its passage and approval in accordance with applicable law.

PASSED THIS _____ day of _____, 20_____.

AYES:

NAYS:

ABSENT:

APPROVED THIS _____ day of _____, 20_____.

Village President

ATTEST:

Village Clerk

