

CITY ORDINANCE NO. CO-034-2022

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE FY 21/22 OPERATING BUDGET OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT BY INCREASING REVENUES IN THE AMOUNT OF \$2,439,607.20 RECEIVED FROM THE SHUTTERED VENUE OPERATING GRANT 59.075 AND AUTHORIZING THE TRANSFER OF THESE FUNDS TO THE HPAC FUND 204, THE HPAC RESERVE FUND 205 AND THE CITY GENERAL FUND 101, AND APPROPRIATING WITHIN THE PARKS, ARTS, RECREATION AND CULTURE DEPARTMENT

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Heymann Performing Arts Center was awarded a Shuttered Venue Operating Grant from the United States Small Business Administration in the amount of \$2,439,607.20; and

WHEREAS, there is no match required for this the grant award.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

SECTION 2: The FY 21/22 operating budget of the Lafayette City-Parish Consolidated Government is hereby amended by increasing revenues in the amount of \$2,439,607.20 received from the United States Small Business Administration, authorizing the transfer of these funds to the HPACC Fund 204, The HPAC Reserve Fund 205 and the City General Fund 101, and appropriating within the Parks, Arts, Recreation and Culture Department.

SECTION 3: The Lafayette City Council hereby authorizes the Lafayette Mayor-President, or his designee, to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

SECTION 4: The Lafayette Mayor-President, or his designee, is hereby authorized to amend the operating budget within the grant period by transferring any unexpended appropriated balances into or out of salaries and benefits line items and all other line items in order to expend the total award amount in accordance with the regulations.

SECTION 5: This increase in revenues shall be as reflected in any pertinent documents which are attached hereto and made a part hereof and filed in the Office of the Lafayette Clerk of the Council.

SECTION 6: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

Fiscal Year: 2022

Budget Adjustment Codes:
Disposition of new revenues

Fund: Description:
126 GRANTS - FEDERAL

Justification: To increase revenue received from Sheltered Venue Operators Grant

Ordinance #:

ACCOUNTING UNIT	ACCOUNT	SUB ACCOUNT	ACCOUNT DESCRIPTION	ACTIVITY	ACTIVITY DESCRIPTION	ACCOUNT CATEGORY	ADJUSTMENT AMOUNT	CURRENT GL BUDGET	ADJUSTED BUDGET	CURRENT AC BUDGET	ADJUSTED BUDGET
1260999	42040		OTHER FEDERAL GRANTS	126272209990001	SHUT VENUE OPER GRANT 59.075	42040	(2,439,607.20)	(50,958.00)	(2,490,565.20)	0.00	(2,439,607.20)
1260170	74000	204	INT APP-HPACC FUND	126272201700001	SHUT VENUE OPER GRANT 59.075	74000	1,794,099.11	0.00	1,794,099.11	0.00	1,794,099.11
1260170	74000	205	INT APP-HPACC RESERVE FD	126272201700001	SHUT VENUE OPER GRANT 59.075	74000	645,508.09	0.00	645,508.09	0.00	645,508.09
2040999	48500	126	CONTR FROM GRANTS-FEDERAL				(1,794,099.11)	0.00	(1,794,099.11)		
2040999	48500	205	CONTR FROM HPACC RESERVE FUND				(645,508.09)	0.00	(645,508.09)		
2040170	74000	101	INT APP-CITY GENERAL FUND				2,439,607.20	0.00	2,439,607.20		
2050999	46500	126	CONTR FROM GRANTS-FEDERAL				(645,508.09)	0.00	(645,508.09)		
2050182	74000	204	INT APP-HPACC FUND				645,508.09	0.00	645,508.09		
1010999	48500	204	CONTR FROM HPACC FUND				(2,439,607.20)	0.00	(2,439,607.20)		
1010999	49990		NET LOSS-USE OF FUND BALANCE				2,439,607.20	(22,251,443.00)	(19,811,835.80)		
Total Adjustments											
0.00											

Note: Revenue is a credit account therefore an increase is a credit (minus) and a decrease is a debit (plus). Expense is a debit account therefore an increase is a debit (plus) and a decrease is a credit (minus).

Reserve Balances (Budget Use Only)

Operating Funds

Reserve Accum Use of P. Y. Fund Balance Transfer No. 11 Balance After This Transfer _____

Capital Funds

Reserve Accum Use of P. Y. Fund Balance Transfer No. _____ Balance After This Transfer _____

4/21/22

2/11/22

2/14/22

RECEIVED
FEB 04 1077
BUDGET MGMT.
DIRECTOR OF FINANCE
FEB 10 2022

City of New York
Finance & Management C/O

DIVISION HEAD

DATE

DEPARTMENT HEAD

DATE

BUDGET MANAGEMENT OFFICER

DATE

MAYOR-PRESIDENT

DATE



U.S. Small Business Administration **NOTICE OF AWARD**

1. AUTHORIZATION (Legislation/Regulation) Section 324 of division N of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260)		2. Grant/Cooperative Agreement No.: SBAHQ21SV014058.2	
3. RECIPIENT: (Name, Organizational Unit, Address) Lafayette Consolidated Government - Heymann Perform 721335255 075054536-0000 1373 South College Rd Lafayette LA 70503 Lafayette		4. PROJECT PERIOD (Mo./Day/Yr.) From 07/17/2021 Through 06/30/2022	5. BUDGET PERIOD (Mo./Day/Yr.) From 07/17/2021 Through 01/17/2023
8. TITLE OF PROJECT/PROGRAM (limit to 53 spaces) Shuttered Venue Operators Grant		6. FEDERAL CATALOG NO. 59.075	7. ADMINISTRATIVE CODES

9. AWARD AMOUNT Amount of SBA Financial Assistance \$2,439,607.20	
10. DIRECTOR OF PROJECT (Program or Center Director, Coordinator or Principal Investigator) NAME Skerrett Dennis Last First Initial ADDRESS: 1373 South College Rd Lafayette LA 70503 Lafayette	
11. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project)	

BUDGET YEAR	TOTAL DIRECT COST	BUDGET YEAR	TOTAL DIRECT COST
a. N/A	N/A	b. N/A	N/A

12. Approved Budget (Excludes SBA Direct Assistance)
 SBA Funds Only Total project costs including all other financial participation

13. REMARKS (Other Terms & Conditions Attached) Yes No

	Federal Share	Non-Federal Share	Non-Federal In-Kind	Non-Federal Program Inc.
a. Personal Services.....	\$0.00			
b. Fringe Benefits.....	\$0.00			
c. Consultants.....	\$0.00			
d. Travel.....	\$0.00			
e. Equipment.....	\$0.00			
f. Supplies.....	\$0.00			
g. Contractual.....	\$0.00			
h. Other.....	\$2,439,607.20			
i. TOTAL DIRECT COSTS.....	\$2,439,607.20			
j. Indirect cost..... (Rate)	N/A	N/A	N/A	N/A
k. OTHER APPL. COSTS.....	N/A	N/A	N/A	N/A
l. TOTAL APPROVED BUDGET	\$2,439,607.20			

14. THIS AWARD IS SUBJECT TO THE FOLLOWING COST PRINCIPLES AND OMB UNIFORM ADMINISTRATIVE REQUIREMENTS:

2 CFR Chapter 1, Chapter II, Part 200, et al, uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Part 180 - OMB Guidelines to Agencies on government debarment and suspension (Non Procurement)

*Must meet all matching or cost participation requirements subject to adjustment in accordance with SBA policy

15. THIS AWARD IS SUBJECT TO THE TERMS AND CONDITIONS ON THE REVERSE SIDE

16. CRS - EIN 721335255-DA-000040481		17. COUNTY NAME	18. CONGRESSIONAL DISTRICT NO.
19a. CITY CODE Lafayette	b. COUNTY CODE	c. STATE CODE LA	d. PROGRAM CODE SVOG
BUDGET CODE	DOCUMENT NO.	AMT. ACTION FIN. ASST.	TYPE OF ORGANIZATION
20a. X0700DB90050060500	b. 2	c. \$2,439,607.20	d. Majority Government Owned

21. AGENCY OFFICIAL (Signature, Name and Title) <i>Joshua S. Guillory Mayor - President</i>	22. DATE ISSUED (Mo./Day/Yr.) 12/14/2021
23. RECIPIENT OFFICIAL (Signature, Name and Title)	24. DATE (Mo./Day/Yr.) 12/29/21

EXPLANATION OF BLOCKS ON THE NOTICE OF AWARD	
Box 1 – Authorization	Statutory Authority: The public law or statute number authorizing the grant.
Box 2 – Grant/Cooperative Agreement No.	A unique, identifying number assigned by the Small Business Administration (SBA) to each application. On funded applications, this is commonly known as the "grant number" or "document number." This number will be appended by a ".1", ".2", etc. to denote that it is a superseding award document.
Box 3 – Recipient	<p>Name: The legal name of the entity to which the funds are awarded.</p> <p>Address: The recipient's complete address.</p>
Box 4 – Project Period	<p>Project period: The complete length of time for which funds are available for award making.</p> <p>From: Date Initial Phase SVOG Award was issued by SBA.</p> <p>Through: End date for incurring eligible and allowable costs. Grantee may incur costs from March 1, 2020, to the date in this box.</p> <p><u>Helpful information:</u> Transactions relating to payroll are considered to be eligible cost incurrences if work was performed between March 1, 2020, and the "Through" date in this box.</p> <p>Transactions relating to the procurement of goods or services are considered to be eligible cost incurrences if the date of the binding written commitment falls between March 1, 2020, and the "Through" date in this box.</p>

Box 5 – Budget Period	<p>Budget period: The complete length of time grantees have to spend award funds on eligible and allowable costs. Grantees can spend award funds to cover eligible and allowable costs incurred from March 1, 2020, to the "Through" date in Box 4 in your most recently issued notice of award.</p> <p>From: First date to spend award funds.</p> <p>Through: Final date to spend award funds.</p>
Box 6 – Federal Catalog No.	The program number from the Catalog of Federal Domestic Assistance (CFDA).
Box 7 – Administrative Codes	This information is provided to assist the recipient in completing the approved activities and managing the project in accordance with SBA procedures and regulations.
Box 8 – Title of Project/Program	Identifies the project/program title for this Notice of Award.
Box 9 – Award Amount	The amount of the original award/SBA financial assistance. This is the total funding available before any amendment or adjustment is made.
Box 10 – Director of Project	<p>Name: The official within the Recipient Organization responsible for administering the SVOG project. This person is also the primary point of contact for SBA communications regarding the award.</p> <p>Address: The recipient's complete address.</p>
Box 11 – Recommended Future Support	N/A

Box 12 – Approved Budget	The recipient's official budget as outlined in the approved application. If changes are needed, then the grantee will be provided the opportunity to make updates in the notice of award issuance action item's response.
Box 13 – Remarks	Other terms and conditions: Requirements of the award that are binding on the recipient, including but not limited to, FORM-1222 ADDENDUM.
Box 14 – Cost Principles and OMB Uniform Administrative Requirements	Additional requirements of the award that are binding on the recipient. <u>2 CFR 200</u> – Administrative requirements, cost principles, and audit requirements for Federal Awards. <u>Part 180</u> – OMB guidelines to agencies on government debarment and suspension
Box 15 – Terms and Conditions	This award is subject to the terms and conditions as presented on any additional forms, including but not limited to, FORM-1222 ADDENDUM.
Box 16 – CRS - EIN	Entity Identification Number (CRS-EIN) – A three-part coding scheme used in the Payment Management System. The first nine characters are the federal Taxpayer Identification Number (Employer Identification Number or Social Security Number) assigned by the Internal Revenue Service. The DA and numbers following indicate the draft application number.
Box 17 – County Name	Name of the county where the recipient is located.
Box 18 – Congressional District No.	Number of the congressional district where the recipient is located.

Box 19 – Location Data	<ul style="list-style-type: none"> • City Code – City where the recipient is located. • County Code – County where the recipient is located. • State Code – State where the recipient is located. • Program Code - The name of the grant program.
Box 20 – Budgetary Data	<ul style="list-style-type: none"> • Budget Code - The fiscal information recorded by the SBA's Grant Administration and Payment System to track obligations by award. • Document No. - A numeral that represents the cumulative number of steps taken by the SBA to date to establish or modify the award through fiscal or administrative means. • Amt. Action Fin. Asst. - The amount of funds obligated (added) or de-obligated (subtracted) by this notification. • Type of Organization - Recipient organization type.
Box 21 – Agency Official	Agency official: The SBA official authorized to award funds to the recipient, establish or change the terms and conditions of the award, and authorize modifications to the award.
Box 22 – Date Issued	Date of issuance of the notice of award.
Box 23 – Recipient Official	The official responsible for the programmatic, administrative, and business management concerns of the Grantee.
Box 24 – Signature Date	Date the notice of award is signed by the Awardee.

FORM-1222 ADDENDUM

Explanation

- **This Supplemental Phase SVOG Notice of Award supersedes any previous Notices of Award you received under the Shuttered Venue Operators grant.** The following Terms & Conditions and Additional Program Assurances apply to all SVOG Award funds received under this program.
- The Grant Number (Box 2) is different from the Initial Phase SVOG Notice of Award confirming it is a new, superseding Notice of Award.
- Under the Initial Phase SVOG Award, you had one year from the date of award to spend your grant funds and you could only use those funds to pay allowable items of cost incurred between March 1, 2020, and December 31, 2021. Once you execute the Supplemental Phase SVOG Notice of Award and return it with your initialed and signed Terms & Conditions and Additional Program Assurances, you will have 18 months from the date of your Initial Phase SVOG Award (Box 5 Budget *From* date) to spend your grant funds. You can use those funds to pay allowable costs incurred between March 1, 2020, and June 30, 2022.
- The supplemental award amount was calculated based on the initial grant amount before subtracting PPP. Any PPP funds received after December 27, 2020, not previously deducted, were then subtracted from the supplemental award amount, which final total award amount (initial grant amount plus the supplemental award amount) is at Box 9 (Award Amount).
- Please reference the current SVOG list of Frequently Asked Questions and the Office of Management and Budget's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (commonly called "Uniform Guidance") for guidance regarding allowable items of cost and use of your grant funds and repayment of any unused funds at the end of your Budget Period.

Field 13. Other Terms & Conditions Attached

- This Supplemental Phase SVOG Notice of Award supersedes any previous Notices of Award you received under the Shuttered Venue Operators grant.
- Prior approval is not required for the in-scope transfer or reallocation of funds among direct cost categories in the approved total budget. However, SBA will not permit any budget transfers or reallocations that represent a change in the scope of an SVOG Award or which would cause SVOG award funds to be used for purposes other than those consistent with the program legislation and appropriation.
- You must submit Form-425 with supporting documents when all award funds have been spent.
- You may spend your SVOG funds on costs incurred from March 1, 2020 to December 31, 2021 (or June 30, 2022 if you have received a Supplemental Award). Once you have spent all of your SVOG funds, it is recommended that you submit your expense report within 60 days. However, by law (per §200.344), you must complete this and the subsequent "Complete SVOG Closeout Process" to close out your grant within 120 days of the end of your Budget Period, whether or not all SVOG funds have been spent. You must submit your expense report through the portal or as otherwise directed by the program.
- You are required to submit a Single Audit or financial audit at the end of your fiscal year if you have spent \$750,000 or more in Federal Funding.
- You are not eligible for a Restaurant Revitalization Fund grant.

FORM-1222 ADDENDUM

Field 13. Other Terms & Conditions Attached

- You are required to initial and sign Program Assurances prior to your initial disbursement.
- You are required to view the Post-Award Information Session prior to your initial disbursement.
- You must submit Form SF-425 with supporting documents prior to each additional disbursement.
- You are required to file a final report within 15 days of expending all grant funds.
- You are required to submit a Single Audit or financial audit at the end of your fiscal year.
- You are not eligible for a Restaurant Revitalization Fund grant.

Additional Program Assurances - Please initial each item below and sign at the bottom.

As the applicant or duly authorized agent of the applicant, I certify that the organization:

- HC 1. Is fully operational or intends to resume operations.
- HC 2. Fully meets the eligibility criteria of the grant program.
- HC 3. Does not present live performances of a prurient sexual nature or derive revenue from sales of products or services, or the presentation of any depictions or displays, of a prurient sexual nature.
- HC 4. Accurately listed the number of employees, including full-time or part-time status.
- HC 5. Will not use funds for real estate purchases; to prepay mortgage loans; to pay interest or principal on loans received after February 29, 2020; to invest or re-lend funds; to contribute to or expend funds to or on behalf of any political party, party committee, or candidate for elected office; to purchase alcohol or pay for loans for alcohol; or to purchase or pay loans for items of prurient sexual nature.
- HC 6. Will provide a complete Final Report, including programmatic questions, by the date specified in the Grant Award Notice.
- HC 7. Will retain records regarding employment for a period of 4 years following the receipt of the grant and other records for a period of 3 years following receipt of the grant.
- HC 8. Will cooperate with audit activities conducted by SBA, SBA Office of Inspector General, and the Government Accountability Office.
- HC 9. Will repay any funds found to be misspent pursuant to the allowable uses of program funds.
- HC 10. Will not abrogate existing collective bargaining agreements for the term of the grant and 2 years after expending grant funds; and will remain neutral in any union organizing effort for the term of the grant.

Signature: _____

Date: 7/22/21



RECEIVED

FEB 14 2022

Lafayette Consolidated Government
Chief Administrative Officer

INTERNAL MEMORANDUM
Department of Parks, Arts, Recreation & Culture
Office of the Director (6100)

TO: Cydra Wingerter
FROM: Hollis Conway
SUBJ: City Council Agenda Item: Shuttered Venue Operating Grant

DATE: February 03, 2022

Attached is an ordinance amending the FY 21/22 operating budget increasing revenues in the amount of \$2,439,607.20 received from The Shuttered Venue Operating Grant 59.075 and authorizing the transfer of these funds to The HPAC Fund 204, The HPAC Reserve Fund 205 and The City General Fund 101 and appropriating within the Parks, Arts, Recreation & Culture Department.

If you approve, please place this item on the City Council agenda to be introduced on Tuesday, March 08, 2022.

Please let me know if you should have any questions or need additional information.

Sincerely,

Hollis Conway, Oly
Director, Parks, Arts, Recreation
& Culture Department (PARC)

HC/nl

Attachments

RECEIVED
FEB 10 2022

Lafayette Consolidated Government
Finance & Management/CFO

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** An ordinance of the Lafayette City Council amending the FY21/22 operating budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$2,439,607.20 received from the Shuttered Venue Operating Grant 59.075 and authorizing the transfer of these funds to The HPAC Fund 204, The HPAC Reserve Fund 205 and The City General Fund 101, and appropriating funds within The Parks, Arts, Recreation and Culture Department.

2) **ACTION REQUESTED:** Adoption of Ordinance

3) **REQUESTED ACTION OF COUNCIL:**

A) INTRODUCTION: 03-08-22

B) FINAL ADOPTION: 03-22-22

4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Memo (1 page)

B) Ordinance (2 pages)

C) Budget Revision (1 page)

D) Backup Documentation (8 pages)


5) **FISCAL IMPACT:**

Fiscal Impact

Recognize and appropriate \$2,439,607.20 SVOG grant funding.

No Fiscal Impact

RECOMMENDED BY:


DIRECTOR

APPROVED FOR AGENDA:


CHIEF ADMINISTRATIVE OFFICER