

# Warren County Board of Supervisors

## RESOLUTION NO. 681 OF 2022

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY, WILD, LEGGETT; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, AND GADDY**

### **AUTHORIZING ARPA FUNDS DISBURSEMENT TO CITY OF GLENS FALLS; AND AMENDING WARREN COUNTY BUDGET FOR 2022**

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries, and

WHEREAS, the ARPA Committee determined that the use of ARPA funds is required to respond to the negative economic impacts of the public health emergency and the enumerated eligible uses under 31 C.F.R. 35.6(b)(3)(ii)(A)(11)(iii) & (vi), assistance to households and individuals, including a program, service, capital expenditure, or other assistance that is provided to a disproportionately impacted population or community, including investments in communities to improve health outcomes and public safety such as parks and recreation facilities and for facilities and equipment related to providing these services, and

WHEREAS, the ARPA Committee further considered and determined that the City of Glens Falls has two federally identified communities, Ward 1 and Ward 4, which the Final Rule presumes were disproportionately impacted by the public health emergency or the negative economic impacts, as each population or community is located in a qualified census tract, and

WHEREAS, section 603(c)(3) of the Social Security Act authorizes the County to transfer ARPA funds to a recipient, the ARPA Committee has considered and approved a request to distribute funds in an amount not to exceed One Hundred Seventy Two Thousand Five Hundred Dollars (\$172,500.00), beginning December 16, 2022 and ending December 31, 2024, to the City of Glens Falls, a non-entitlement unit of local government as defined by the Final Rule, for use as grant money to refurbish, restore and rebuild City

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of Glens Falls parks and recreational facilities located within the two qualified census tracts and to include capital improvements to each park, to wit: the East Field park and it’s recreational courts and facilities; and the Montcalm Street park and it’s recreational courts and facilities; each park being located within the County and open to use by members of the general public of Warren County, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby finds that Ward 1 and Ward 4 in the City of Glens Falls were disproportionately impacted communities as defined by the Final Rule and that the allocation of ARPA funds in an amount not to exceed One Hundred Seventy Two Thousand Five Hundred Dollars (\$172,500.00) is proportional to the harm caused or exacerbated by the public health emergency or its negative impacts upon each disproportionately impacted population and community, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby awards an allocation of ARPA funds in an amount not to exceed One Hundred Seventy Two Thousand Five Hundred Dollars (\$172,500.00), from December 16, 2022 through December 31, 2024, to City of Glens Falls for use as grant money to refurbish, restore and rebuild the parks and recreational facilities located within the East Field park and the Montcalm Street park, to include capital improvements, each park being located within the County and open to use by members of the general public of Warren County, as and for an eligible use under the Final Rule, and be it further

RESOLVED, that as a condition of the ARPA funding, City of Glens Falls shall comply with all reporting requirements set forth in the ARPA Recipient’s Agreement (hereafter, “ARPA Agreement”), and in a form approved by the County Attorney for this award, and shall comply with any modifications to the reporting requirements enacted by the Federal Government to include the Department of Treasury, as a condition of funding, after the effective date for the ARPA Agreement, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2022 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: LEGISLATIVE BOARD</b>		
<u>ESTIMATED REVENUE</u>		
A.1010.4999 4090	Legislative Board, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Funds (CLFRF)	\$172,500
<u>APPROPRIATIONS</u>		
A.1010.4999 470	Legislative Board, American Rescue Plan Act (ARPA), Contract	\$172,500