

RESOLUTION NO. 147-C-2021

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AND EXECUTE GRANT AGREEMENTS AND SUBRECIPIENT AGREEMENTS ON BEHALF OF THE COUNTY'S VETERANS SERVICE AGENCY WITH VARIOUS NOT-FOR-PROFIT VETERANS ORGANIZATIONS THAT ARE FUNDED WITH MONEYS RECEIVED BY THE COUNTY UNDER THE AMERICAN RESCUE PLAN'S CORONAVIRUS LOCAL FISCAL RECOVERY FUND AND WHICH HAVE BEEN SUPPLEMENTALLY APPROPRIATED TO FUND GRANT AGREEMENTS AND SUBRECIPIENT AGREEMENTS WITH SUCH NOT-FOR-PROFIT VETERANS ORGANIZATIONS FOR THE PURPOSES OF RESPONDING TO THE EFFECTS OF THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19 PANDEMIC OR ITS NEGATIVE ECONOMIC IMPACTS.

WHEREAS, the County has appropriated \$62,900,000 from the Coronavirus State and Local Fiscal Recovery Fund that was established pursuant to Subtitle M of Title IX of the American Rescue Plan Act of 2021; and

WHEREAS, the legislation establishing the Coronavirus State and Local Fiscal Recovery Funds (the "SLFRF") authorizes counties to use such funds, among other things, "to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses and nonprofits, or aid to impacted industries such as tourism, travel and hospitality"; and

WHEREAS, the United States Department of the Treasury has published an Interim Final Rule and guidance further detailing the permissible uses of the SLFRF moneys (the "Interim Final Rule"); and

WHEREAS, section 35.6(b) of the Interim Final Rule, which appears in Title 31 of the Code of Federal Regulations, provides a non-exclusive list of specific permissible uses of SLFRF funds to respond to the public health emergency or its negative economic impacts; and

WHEREAS, these enumerated uses include, among other things, assistance, including grants, to nonprofit organizations that are exempt from federal income taxation

pursuant to section 501(c)(3) of the Internal Revenue Code that responds to the negative economic impacts incurred by those organizations during the COVID-19 public health emergency; and

WHEREAS, there are within Nassau County veterans organizations that are exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code (“501(c)(3) Veterans Organizations”), which were negatively impacted economically during the COVID-19 public health emergency by reason of their inability to hold events and social programs for veterans and their families; and

WHEREAS, the enumerated uses in section 35.6(b) of the Interim Final Rule also include, among other things, assistance to unemployed workers, including job training, as well as mental health treatment, substance misuse treatment, and other behavioral health services, and assistance to households that were negatively impacted financially by the COVID-19 pandemic; and

WHEREAS, in addition to 501(c)(3) Veterans Organizations, there are within Nassau County veterans post organizations which are exempt from federal income taxation under section 501(c)(19) of the Internal Revenue Code or other sections not including section 501(c)(3) (“Non-501(c)(3) Veterans Organizations”) that are able as subrecipients to provide or to facilitate the provision of such services; and

WHEREAS, the County in Ordinance No. 63-2021 supplementally appropriated moneys from the County’s SLFRF allocation to provide funding to assist organizations that provide supportive services for veterans; and

WHEREAS, the County’s Veterans Service Agency has identified a non-exhaustive list of Nassau County not-for-profit Veterans Organizations in Appendix A of this Resolution; and

WHEREAS, it is in the best interest of the County and its residents to promptly enter into and execute grant agreements and subrecipient agreements authorizing moneys for such purposes so that they can be provided as expeditiously as possible;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized: to enter into and execute: (i) grant agreements and/or subrecipient agreements with 501(c)(3) Veterans Organizations and subrecipient agreements with Non-501(c)(3) Veterans Organizations listed in Appendix A of this Resolution; as well as (ii) grant agreements and/or subrecipient agreements with other qualifying 501(c)(3) Veterans Organizations and subrecipient agreements with other qualifying non-501(c)(3) Veterans Organizations. All these agreements will be funded exclusively by SLFRF moneys received by the County under the American Rescue Plan Act of 2021 to be spent in compliance with such legislation, the Interim Final Rule (and final rule when effective), applicable federal contract provisions, and all other applicable federal law and regulation, and which have been supplementally appropriated in Ordinance No. 63-2021 for the County to enter into agreements for purposes specified in that Ordinance; and be it further

RESOLVED, that all such grant agreements and subrecipient agreements shall be for purposes that are related to responding to the COVID-19 public health emergency or its negative economic impacts and shall be subject to such payment terms and conditions, compliance with all applicable reporting, recordkeeping or other requirements set forth for grant agreements and subrecipient agreements processed through the Boost Nassau Portal, and a separate close-out procedure that will include a reconciliation of the grant funds provided under any such grant agreements or subrecipient agreements; and be it further

RESOLVED, that such grant agreements and subrecipient agreements shall not affect County funding that may be provided to such not-for-profit veterans organizations under existing funding agreements with these entities, if any; and be it further

RESOLVED, that all such grant agreements and subrecipient agreements shall be filed with the Clerk of the Legislature so that they may be listed at the end of the legislative calendar, as appropriate; and be it further

RESOLVED, that the County Executive is authorized to (i) execute any and all grant agreements and subrecipient agreements and other instruments, agreements, ancillary agreements, funding notices, contracts, amendments, and to take such other action as is necessary to effectuate and carry out the receipt and disbursement of such grant funds in

accordance with this Resolution; and (ii) suspend any vendor disclosure requirements as necessary in order to expedite the disbursement of such grant funds; and be it further

RESOLVED, that pursuant to the provisions of SEQRA, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., the proposed action under this Resolution has been determined not to have any significant adverse impacts on the environment and no further review is required.

