

PROPOSED RESOLUTION NO. 34 - 2024

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AND EXECUTE A GRANT AGREEMENT ON BEHALF OF THE COUNTY WITH THE NASSAU COUNTY POLICE ACTIVITY LEAGUE (NCPAL) THAT IS FUNDED WITH MONEY RECEIVED BY THE COUNTY UNDER THE AMERICAN RESCUE PLAN'S CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND AND WHICH HAS BEEN APPROPRIATED TO FUND A GRANT AGREEMENT WITH NCPAL, A QUALIFYING 501(C)(3) NOT-FOR-PROFIT ORGANIZATION, FOR THE PURPOSE OF PROVIDING FUNDS TO MITIGATE FINANCIAL HARDSHIP TO RESPOND TO THE NEGATIVE ECONOMIC IMPACTS OF THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19 PANDEMIC.

WHEREAS, the County has received monies 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 ("ARP"); and

WHEREAS, pursuant to Resolution 6-2024, the Nassau County Legislature appropriated \$15,000,000 of ARP Funds received from the U.S. Treasury to provide immediate and necessary support to eligible recipients impacted by the COVID-19 Pandemic under a program titled "Legislative Initiatives"; 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 individuals, 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 a Final Rule providing guidance further detailing the permissible uses of the SLFRF moneys (the “Final Rule”); and

WHEREAS, section 35.6(b) of the 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, expenditures for responding to the negative economic impacts of the public health emergency for purposes including assistance to nonprofit organizations and other eligible entities, including, but not limited to, programs, services, or capital expenditures, including loans or grants to mitigate financial hardship such as declines in revenues or increased costs, or technical assistance; and

WHEREAS, there are not-for-profit organizations and certain other eligible entities that are able to provide and/or are in need of such assistance; and

WHEREAS, such organizations are eligible subrecipients, grantees or beneficiaries of SLFRF funds to provide or to facilitate the provision of such services, programs and activities; and

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

WHEREAS, the County Legislature has identified subrecipients and beneficiaries to use SLFRF funds in furtherance of eligible programs, services and activities; and

WHEREAS, the Nassau County Police Activity League (“NCPAL”), a 501(c)(3) not-for-profit organization whose purpose is to prevent delinquency among the County’s youth through social, educational and athletic programs, suffered a negative economic impact as it experienced a reduction in its revenue by as much as \$1.7 million as a result of the COVID-19 pandemic; and

WHEREAS, in order to expedite the delivery of eligible services and relief, the County Executive, on behalf of the Nassau County Legislature, is hereby seeking authorization to execute a grant agreement with the NCPAL;

NOW, THEREFORE, BE IT

RESOLVED, that the Nassau County Legislature hereby authorizes the County Executive to enter into and execute a grant agreement on behalf of the County with the NCPAL in the amount of \$950,000 to allow the NCPAL to recover losses and bolster its capacity to deliver services to Nassau County’s youth, funded exclusively by SLFRF funds received by the County under the American Rescue Plan Act of 2021 to be spent in compliance with such legislation, the Final Rule, applicable federal contract provisions, and all other applicable federal laws and regulations, and which have been appropriated in Resolution 6-2024 for the County to enter into agreements for authorized purposes; and be it further

RESOLVED, that such grant agreement shall be for purposes that are related to responding to the COVID-19 public health emergency or its negative economic impacts, shall be in compliance with all applicable payment terms and conditions, reporting, record keeping or other requirements set forth in such agreements, and a separate close-out procedure that will include a reconciliation of the SLFRF moneys provided under any such agreements; and be it further

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

RESOLVED, that such grant agreement shall be filed with the Clerk of the Legislature so that it 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 subrecipient agreements and any 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 SLFRF moneys in accordance with this Resolution; and (ii) suspend any vendor disclosure requirements as necessary in order to expedite the disbursement of such SLFRF moneys; 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.