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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 16, 2020

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**RE: COVID-19 Emergency Funding
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Please find enclosed a resolution from the Division of Budget and Management to allocate \$5,000,000 in 2019 surplus funding for the purpose of creating a dedicated fund designated to cover costs associated with the county-wide response to the COVID-19 public health crisis. I am requesting immediate consideration of this resolution due to the emergence of COVID-19 on Saturday March 14th, 2020.

Should your Honorable Body require further information, I encourage you to contact Budget Director Keating. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bqs
Enclosure

cc: Robert Keating, Budget Director

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Division of Budget and Management
Re: COVID-19 Emergency Funding
Date: March 16, 2020

SUMMARY

This resolution will authorize a one-time transfer of \$5,000,000 of the 2019 positive variance to a dedicated fund for the purposes of responding to the COVID-19 public health crisis.

FISCAL IMPLICATIONS

Budget Neutral. Due to the strong economy in 2019 Erie County benefited from a modest surplus of at least \$10,000,000. Before a formal budget balancing package can be adopted this resolution will allocate a portion of that surplus to this urgent need.

REASONS FOR RECOMMENDATION

With the confirmation of multiple cases of COVID-19 in Erie County, expenses for the response to this public health crisis will begin to rapidly increase. Currently the Department of Health is managing a large epidemiology team that is working 24/7 and the Department of Emergency Services is operating an Emergency Operations Center. Additional costs associate with maintaining quarantine, performing tests, and infection control will mount. Already the Erie County Public Health Laboratory has purchased additional equipment to increase the speed and scale of COVID-19 testing.

CONSEQUENCES OF NEGATIVE ACTION

Erie County Fiscal Year 2020 funding for key areas of the Departments of Health, Emergency Services, Public Work and more will quickly be expended due to the high level of expenditures associated with the response to the COVID-19 public health crisis.

The lack of a dedicated fund could complicate future efforts to seek maximum reimbursement from the Federal or State governments.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the Direct of Budget and Management will coordinate with the Comptroller's Office to establish Fund 252 COVID-19 Response, and work with accounting staff in the relevant departments including the Department of Health to pay for COVID-19 response costs from that fund.

A RESOLUTION SUBMITTED BY:
DIVISION OF BUDGET AND MANAGEMENT

RE: COVID-19 Emergency Funding

WHEREAS, the World Health Organization has declared COVID-19 a global pandemic; and

WHEREAS, President Trump has declared a National Emergency in response to COVID-19 under the National Emergencies Act and the Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, Governor Cuomo has declared a State disaster emergency for the entire state of New York pursuant to Section 28, Article 2-B; and

WHEREAS, County Executive Poloncarz has declared a State of Emergency in the County of Erie under Section 24 of New York State Executive Law; and

WHEREAS, COVID-19, commonly known as Coronavirus, presents and imminent threat to public health not only in Erie County but through the entire world; and

WHEREAS, Erie County government must take extraordinary steps to control the spread of COVID-19 including extensive implementation of quarantine, testing, and modification of all day-to-day governmental operations; and

WHEREAS, the creation of a dedicated Fund Center will allow for better management of costs associated with the COVID-19 emergency and allow Erie County to best position itself for possible reimbursement for expense by the State and Federal governments; and

WHEREAS, Erie County is projected to close the 2019 fiscal year with an increase to unassigned fund balance of at least \$10,000,000; and

WHEREAS, utilization of 2019 surplus funding is a fiscally responsible way to pay for the significant short-terms costs that may be associated with the COVID-19 emergency.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2019 and 2020 Budgets in order to facilitate the allocation of emergency funding to respond to the novel coronavirus public health emergency; and be it further

RESOLVED, that a new Fund (Fund 252 COVID-19 Response) be established and will only be used for the purposes of responding to the COVID-19 public health emergency including but not limited to:

- Surveillance and case identification (including, but not limited to, public health epidemiological investigation activities such as contact follow-up).
- Monitoring of travelers.
- Data management.
- Laboratory equipment, supplies, staffing, and shipping.
- Isolation and quarantine (including, but not limited to, housing; wrap-around services; security; environmental control, clean-up and waste management; and behavioral health services).
- Infection control.
- Surge staffing.
- Emergency operations coordination.
- Risk communications support.
- Public health coordination with healthcare systems.

RESOLVED, that the Director of Budget and Management is hereby authorized to transfer up to \$5,000,000 from positive variances in the various 2019 Sales Tax accounts into a newly established appropriation line # 570035 (Inter-fund Transfer-COVID-19 Response Fund) and make the required 2019 and 2020 budgetary adjustments to implement all budgetary actions as authorized per this resolution; and be it further

RESOLVED, to the extent applicable, the RFP process set forth in Section 19.08 of the Erie County Administrative Code is hereby waived as impractical for all action taken in response to the COVID-19 public health emergency; and be it further

RESOLVED, to the extent applicable, all formal purchase policies and procedures which may hinder the immediate response to the COVID-19 public health emergency are hereby waived; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contracts, make purchases, and hire additional personnel for the purposes of responding to COVID-19 public health emergency; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller and the Director of Budget and Management.