

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS LORIGO, RATH, TODARO, AND MILLS**

**Re: Creation of a Grant Program to Fund Supplies to Prepare for Colder Weather
Outdoor Dining**

WHEREAS, COVID-19 testing rates have increased in Western New York recently, partly as a result of people being forced to gather indoors due to decreasing temperatures; and

WHEREAS, due to government mandates beyond their control, restaurants have been limited to 50% of their regular indoor seating capacity. As a result, many restaurants have worked to expand their outdoor seating options this summer; and

WHEREAS, summer is quickly coming to an end, but the 50% indoor seating capacity restriction is not; and

WHEREAS, many restaurants in Erie County are searching for novel ways to provide cold weather outdoor dining options and still comply with social distancing requirements; and

WHEREAS, Erie County received \$160 million in federal CARES Act funding and that funding may be used to provide long-term assistance to local businesses struggling to stay afloat during the pandemic; and

WHEREAS, helping small businesses should be a priority of local government.

NOW, THEREFORE, BE IT

RESOLVED, that in the interest of public safety during the COVID-19 pandemic, this Honorable Body recognizes a duty to help Erie County restaurants maintain expanded outdoor seating capacity during the Fall and Winter months; and, be it further

RESOLVED, that this Honorable Body supports the creation of an Outdoor Dining Capability grant program for restaurants specifically designed for the purpose of continuing or facilitating expanded seating capacity in colder weather; and, be it further

RESOLVED, that this Honorable Body supports the appropriation of \$1,000,000 of federal CARES Act funding for the purpose of financing the program; and, be it further

RESOLVED, that the Erie County Executive is authorized to enter into contract with an agency for the purposes of administering the program; and, be it further

RESOLVED, that the established grant program should offer both temporary and long-term assistance to restaurant owners, with grants ranging from \$500 to \$2000 for the purchase of heating equipment and supplies to heat existing outdoor space; and, be it further

RESOLVED, that long-term assistance grants ranging from \$2,000 to \$15,000 shall be made available to restaurants willing to undertake more permanent changes to enhance, expand, or create heated outdoor seating options for their customers; and, be it further

RESOLVED, that in order for a restaurant to qualify for grant funding, they must be creating, enhancing, or expanding a heated outdoor dining site for the purposes of expanding or maintaining their COVID-19 restricted seating capacity; and, be it further

RESOLVED, that qualifying restaurants shall be able to use grant funding for the purchase of heating equipment, heating supplies, furniture, professional installation services and fees, construction labor and materials; and, be it further

RESOLVED, that restaurants applying for grant funding for these purposes shall maintain records of all costs associated with the grant award and only expend funds for the stated purposes, which may be verified by the Erie County Comptroller or the agency managing the program; and, be it further

RESOLVED, if, during the course of the pandemic, any restaurant has already made the type of improvements as contemplated in this resolution they are still eligible to apply for reimbursement under this program. For work and purchases already completed, proof of payment shall be required before any funds shall be reimbursed; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Mark Poloncarz, the Director of the Department of Budget and Management, and any other party deemed necessary and proper.

Fiscal Impact: None for the County Budget, all funding is to come from CARES Act funds