

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

Re: Creation of the Erie County Small Business and Not-for-Profit Relief Program

WHEREAS, COVID-19 has forced many businesses and not-for-profits in Erie County to take steps to reduce the spread of COVID-19. Areas open to the public have seen enhanced cleanings, installations of hand sanitizers, upgrades to HVAC units, and the introduction of sneeze guards and new crowd control implements; and

WHEREAS, many of the improvements, services, and equipment were purchased by the business or organizations to follow state and federal guidelines to help limit the spread of COVID-19; and

WHEREAS, further, as a result of Covid-19 restrictions, many nonprofit organizations were unable to fundraise at pre-pandemic levels but still incurred many of their pre-pandemic expenses that they need assistance with; and

WHEREAS, Erie County still has \$14 million in undesignated funding from the 2020 CARES Act allocations, all of which must be expended by the end of 2021; and

WHEREAS, Director Keating has indicated that this funding may be used to offset COVID-19 expenses incurred by small businesses and not-for-profits during the pandemic; and

WHEREAS, it is the position of this body that small businesses and local organizations should be supported for their losses incurred as a result of COVID-19 related expenses.

NOW, THEREFORE, BE IT

RESOLVED, that this body hereby creates the Erie County Small Business and Not-for-Profit Relief Program to provide financial assistance to businesses and organizations across Erie County, including not-for-profit entities, who have expended funding to combat the spread of COVID-19; and, be it further

RESOLVED, that this honorable body hereby directs the Department of Budget and Management and the Department Environment and Planning to accept requests for funding under this program and to facilitate the transfer of funding to eligible Erie County entities; and, be it further

RESOLVED, prior to transferring any funding to any business or organization under this program, Erie County shall publish notice about the program in the newspapers of record for a period of two weeks; and, be it further

RESOLVED, the program shall be run on a first come, first-served basis, and shall remain open until all funding in Fund 252 is exhausted or December 31, 2021, whichever comes first; and

RESOLVED, for the purpose of this resolution, any entity that has COVID-19 related expenses shall be eligible to apply, whether they be a for profit business or a not-for-profit organization; and, be it further

RESOLVED, that the following restrictions and requirements shall apply to all applicants:

1. The business or entity was in operation for a minimum of 12 months prior to March 15, 2020 and the applicant submits an itemized list detailing their costs requested for reimbursement from March 15, 2020 through to present;
2. The business or entity has not already received reimbursement for the same COVID-19 expenses from Erie County, New York State, or the Federal Government;
3. All applicants shall be based in Erie County;
4. Government entities shall not be eligible for reimbursement under this program.

RESOLVED, eligible expenses for reimbursement shall include the following:

1. Purchase of Personal Protective Equipment for provision to employees or patrons;
2. Purchase of personal sanitizing materials for use by employees or patrons, whether it be hand sanitizer or cleaning products;
3. Purchase of glass or acrylic materials used to set up sneeze and cough guards;
4. Purchase of physical barriers and signage related to social distancing requirements; and
5. Upgrade of HVAC or other air handling system to include additional air filtering capabilities (i.e. UV or HEPA filtration).

And, be it further

RESOLVED, that due to the limited nature of the funding source, it is this body's intention to restrict awards of funding to only those entities who can show some degree of current financial hardship. Proof of financial hardship may include inability to fully pay rent or mortgage, inability to make payroll or invest in their operations, or any other proof deemed acceptable by the Department of Budget and Management; and, be it further

RESOLVED, it is the intent of this body to ensure all federal funding is expended in as timely a manner as possible and to provide as much aid and assistance to local businesses and entities. If part of this plan is now, or becomes, unworkable due to changes in federal guidelines for expending CARES Act funding, the Administration is hereby directed to effectuate this plan as widely as possible, or to return to the Legislature with a suitable alternative; and, be it further

RESOLVED, reimbursement for expenses in excess of \$10,000 shall require legislative approval; and, be it further

RESOLVED, the County Executive is hereby directed to provide the Legislature with a monthly report of all expenditures out of Fund 252 until all funding is accounted for; and, be it further

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

Fiscal Impact: The fiscal impact of this program shall be limited to the funding contained in Fund 252 provided to the County of Erie by the Federal Government. No County dollars are intended to be spent to facilitate this assistance.