

RESOLUTION No. 2021-

***RELATIVE TO APPROVAL OF THE ALLOCATION OF  
THE CITY OF NIAGARA FALLS' SHARE OF  
AMERICAN RESCUE PLAN FUNDING***

BY:

Council Chairman Kenny Tompkins  
Council Member John Spanbauer

**WHEREAS**, on March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (H.R. 1319) into law; the \$1.9 trillion package, based on President Biden's American Rescue Plan, is intended to combat the COVID-19 pandemic, including the public health and economic impacts; and

**WHEREAS**, the American Rescue Plan Act established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Recovery Fund, which together make up the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses; and

**WHEREAS**, according to the applicable Federal guidelines regarding their use, eligible Program funds shall be used to: respond to the COVID-19 public health emergency or its negative economic impacts; respond to workers performing essential work during the COVID19 public health emergency by providing premium pay to such eligible workers of the recipient; for the provision of government services, to the extent of the reduction in revenue of such recipient due to the COVID-19 public health emergency, and; to make necessary investments in water, sewer, or broadband infrastructure; and

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**WHEREAS**, American Rescue Plan funds may be used to cover eligible costs incurred during the period that began on March 3, 2021 and ends on December 31, 2024. As long as funds are allocated to projects by December 31, 2024, they must be fully expended by December 31, 2026 or they must be returned to the Department of the Treasury; and

**WHEREAS**, in May 2021, the City of Niagara Falls received award of \$28,603,764.00 and by May 2022 the City should receive the remaining \$28,603,764.00, which will bring the total amount of the award to \$57,207,528.00; and

**WHEREAS**, between July 8, 2021 and October 28, 2021, Mayor Robert Restaino and his Administration held five (5) community meetings to obtain feedback from the public as to how American Rescue Plan funds should be utilized. These community engagement meetings were held at Abate Elementary School, Gill Creek Park, the LaSalle Public Library, St. Raphael's Church and the John Duke Center, respectively, ; and

**WHEREAS**, recurring topics that were identified during these meetings included: public safety concerns; infrastructure issues related to City-owned building, roads, sidewalks, and water/sewer lines; Small Business support; vacant homes and demolitions; technology improvements; improvements to parks, and: youth programming and activities; and

**WHEREAS**, it is now proposed that the City's allocation of American Rescue Plan funds be utilized, generally, as follows (with more specificity as provided on the City's website):

Investment in Community:	\$26,420,000
Investment in Public Safety:	\$11,445,915
Investment in City Owned Buildings:	\$10,167,000
Investment in Small Business/MWBE:	\$3,500,000
Investment in City Operations:	\$2,500,000

City Budget Reimbursement:	\$600,000
Administrative Expenses:	\$1,500,000

The total amount of funds generally allocated is \$56,132,915.00, which will provide the City with flexibility to both add additional projects and deal with the possibility of project cost increases prior to December 31, 2026; and

**WHEREAS**, in addition to the above proposal, the City Council, at its December 15, 2021 meeting, passed a resolution affirming its support for a City-wide reassessment program and declaring that the majority of the funding for the reassessment would be covered by American Rescue Plan Funds; and

**WHEREAS**, prior to undertaking specific projects requiring the utilization of American Rescue Plan funding, the Administration will secure all necessary approvals from the City Council as required under the City Charter; and

**WHEREAS**, the City is required to submit quarterly project and expenditure reports to the Treasury Department beginning in January 2022, which will provide overview of each approved project and identify respective expenditure category as provided by Treasury Department. Entities that receive funding from the City will also need to adhere to Treasury program guidance. The City will provide status updates for each project on quarterly basis; and

**WHEREAS**, the City Council hereby issues its approval and support for the aforementioned American Rescue Plan fund allocations as they will greatly assist the City's recovery from the effects of the pandemic.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Niagara Falls, New York hereby supports and adopts Mayor Robert Restaino's program for

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allocation of the City's share of American Rescue Plan funding and hereby authorizes the Mayor to proceed with all steps necessary to implement the same.