

6H-1

Agenda Item #: \_\_\_\_\_

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: July 13, 2021

Consent       Regular  
 Ordinance     Public Hearing

Department:

Submitted By: Office of Financial Management and Budget

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to:

**A) receive and file** the American Rescue Plan Act (ARPA) certification, which includes receipt of \$290,730,026, of which \$145,365,013 (50%) was received on May 20, 2021;

**B) provide direction** on the proposed Fiscal Strategy for the spending of these funds based on the eligible use categories.

**Summary:** Signed into law on March 11, 2021, The American Rescue Plan Act of 2021 will provide \$350 billion in additional funding for state and local governments, which includes approximately \$291 million for Palm Beach County.

**Eligible use of these funds include:**

1. Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior the emergency,
2. COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
3. Premium pay for essential workers,
4. Investment in water, sewer, and broadband infrastructure.

**Restrictions on the uses of these funds include:**

1. Funds cannot be used to directly or indirectly offset tax reductions or delay a tax or tax increase;
2. Funds cannot be deposited into any pension fund.

Pursuant to the American Rescue Plan program, the County received an automatic payment of \$145,365,013, which equates to one-half of our allocation. The County will receive the second half of the distribution in one year. All funds must be encumbered by December 31, 2024 and spent by December 31, 2026. Countywide (DB).

**Background and Policy Issues:** The County received our allocation of the American Rescue Plan funds from the federal government that provides additional funding to offset the impact of the COVID-19 pandemic to our community. The American Rescue Plan Act of 2021 will provide for the immediate distribution of approximately \$145 million, with the remaining allocation distributed in one year.

**Attachments:**

1. ARPA Certification
2. CARES/ARPA Presentation

Recommended By: \_\_\_\_\_

*Sherry Brown*  
Department Director

6/30/2021  
Date

Approved By: \_\_\_\_\_

*W. Baker*  
County Administrator

7/7/21  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	290,730,026	_____	_____	_____	_____
External Revenues (290,730,026)	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>\$0</b>	_____	_____	_____	_____
<b>#ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes \_\_\_\_\_ No X  
 Does this item include the use of federal funds? Yes X No \_\_\_\_\_

Budget Account No.: Fund: 1162 Dept: VAR. Unit: VAR Object: VAR.

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

Source: Federal Grant provided through the American Rescue Plan Act (ARPA).

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Administration Comments:**

*Loree Martin* 7/2/21  
 JA 7-1-21 OFMB AP 7/1/21 LM

*Dr. J. J. J...*  
 Contract Administration

**B. Legal Sufficiency:**

*Anne Welford* 7/17/21  
 Assistant County Attorney for Dave Behar

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director


U.S. DEPARTMENT OF THE TREASURY  
CORONAVIRUS LOCAL FISCAL RECOVERY FUND

Recipient name and address: Board of County Commissioners Palm Beach County 301 N Olive Ave West Palm Beach, Florida 33401-0000	DUNS Number: 078470481 Taxpayer Identification Number: 596000785 Assistance Listing Number and Title: 21.019
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Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient:

  
\_\_\_\_\_

Authorized Representative:

Title:

Date signed:

U.S. Department of the Treasury:

\_\_\_\_\_  
Authorized Representative:

Title:

Date signed:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY  
CORONAVIRUS LOCAL FISCAL RECOVERY FUND  
AWARD TERMS AND CONDITIONS

1. Use of Funds.
  - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
  - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
  - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
  - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
  - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.
9. Compliance with Applicable Law and Regulations.
  - a. Recipient agrees to comply with the requirements of section 602 of the Act, regulations adopted by Treasury pursuant to section 602(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
  - b. Federal regulations applicable to this award include, without limitation, the following:
    - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
    - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
    - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
    - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.

- v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
  - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
  - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
  - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
  - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
  - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
  - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
  - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
  - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 602 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 602(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 602(e) of the Act and any additional payments may be subject to withholding as provided in sections 602(b)(6)(A)(ii)(III) of the Act, as applicable.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to sections 602(e) and 603(b)(2)(D) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
  - b. Any debts determined to be owed the federal government must be paid promptly by Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.
15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
  - i. A member of Congress or a representative of a committee of Congress;
  - ii. An Inspector General;
  - iii. The Government Accountability Office;
  - iv. A Treasury employee responsible for contract or grant oversight or management;
  - v. An authorized official of the Department of Justice or other law enforcement agency;
  - vi. A court or grand jury; or
  - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

**ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS**  
ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the recipient named below (hereinafter referred to as the "Recipient") provides the assurances stated herein. The federal financial assistance may include federal grants, loans and contracts to provide assistance to the Recipient's beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient's program(s) and activity(ies), so long as any portion of the Recipient's program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient's programs, services, and activities.
3. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>.
4. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Recipient and Recipient's successors, transferees, and assignees for the period in which such assistance is provided.
5. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between the Recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

*The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.*

6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal

financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.

7. Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Department of the Treasury of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Department of the Treasury if Recipient has received no complaints under Title VI.
9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.
10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurance document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurance document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

Board of County Commissioners Palm Beach County

Recipient

5/11/2021

Date

Verdema C. Baker

Signature of Authorized Official

**PAPERWORK REDUCTION ACT NOTICE**

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A photograph of a modern urban park. In the foreground, there is a paved walkway and several wooden benches. The middle ground is filled with lush greenery, including tall palm trees and various leafy trees. In the background, a tall, modern white high-rise building with many windows and balconies stands against a clear blue sky. The overall scene is bright and sunny.

# Coronavirus Local Fiscal Recovery Funds

American Rescue Plan Act

July 13, 2021





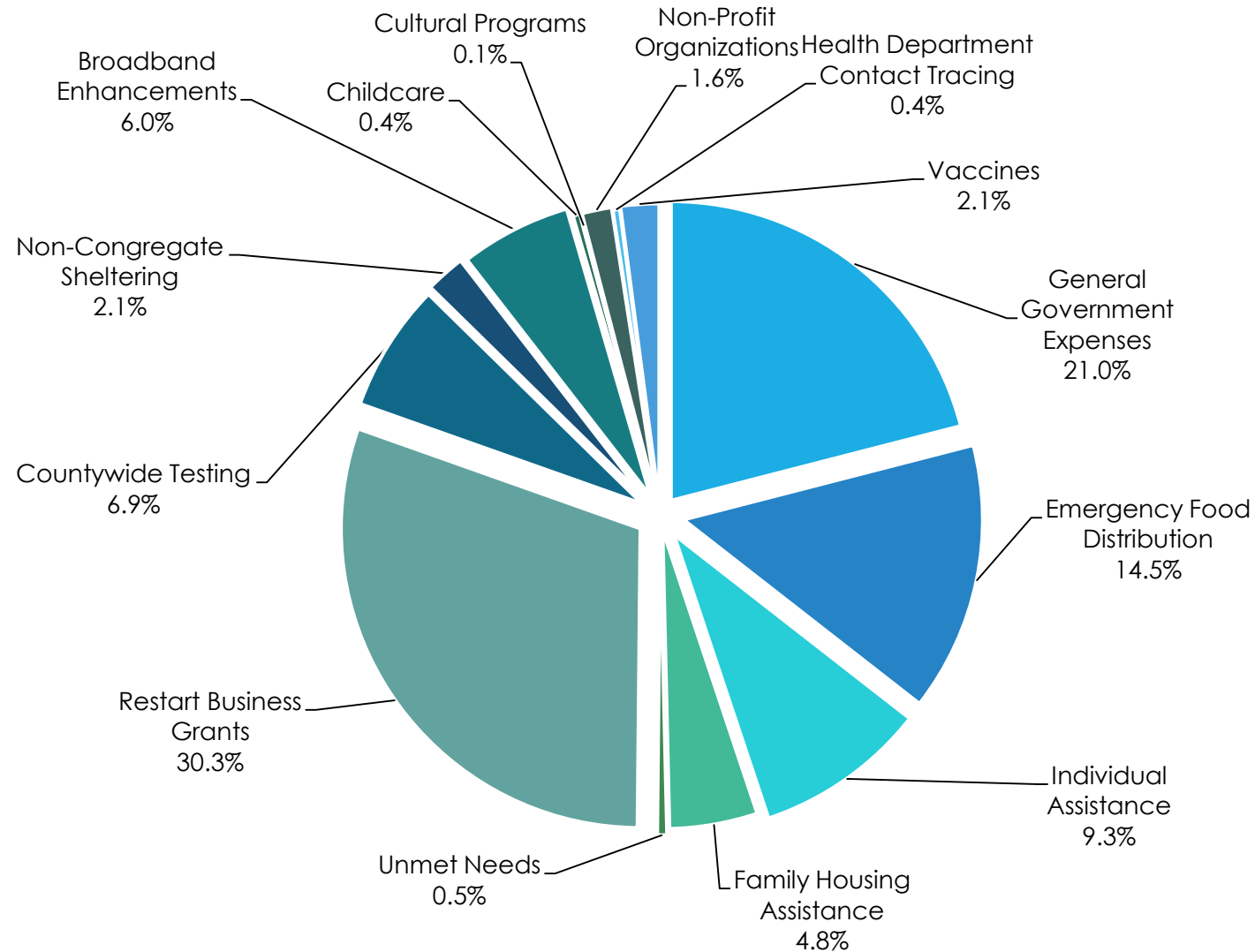
# CARES Act

# CARES Act Summary

CARES ACT EXPENDITURES						
Activity	Description	Budget	Total Expenses	Committed	Balance Available	Metrics
General Government Expenses	PPE's, Staffing, BCC COVID-19 expenses; Infrared Technologies, teleworking equipment; countywide signs, public education messaging; other Constitutional Officers COVID-19 related expenses	\$55,335,851	\$50,699,550	\$3,263,767	\$1,372,534	Over 2,000,000 masks provided to the County's COVID Education Compliance Team and Fire Rescue Department
Emergency Food Distribution	Food Distribution exceeding normal base expenses; community food programs identified in emergency feeding plan	\$38,148,579	\$38,148,579	\$0	\$0	Avg. 100K – 150K pounds per week delivery to PBC Food Bank and partnering agencies  Direct assistance to Feed the Hungry "super pantry" - avg. 50K pounds per week
Individual Assistance	Rental and Utility Assistance	\$24,547,121	\$24,547,121	\$0	\$0	11,857 checks issued
Family Housing Assistance	Emergency Mortgage	\$12,508,696	\$12,508,696	\$0	\$0	Received 2,186 applications, denied 604 applications, and issued 1,582 checks.
Human Services Assistance	Unmet needs	\$1,368,173	\$1,368,173	\$0	\$0	Through five area agencies, distributed 112,153 educational materials, provided 108,249 masks, and increased knowledge about prevention to 83,067 individuals
Restart Small Business Grant	Small businesses with 25 or less employees	\$78,917,457	\$78,917,457	\$0	\$0	
Business Grants	Businesses with more than 25 employees and/or ≤ \$3 million in gross receipts	\$678,760	\$678,760	\$0	\$0	Assisted 5,182 business.
Countywide Testing	COVID-19 and Antibodies Testing, Health Care District medical vehicle, staffing	\$18,230,177	\$12,993,910	\$5,236,267	\$0	Provided 58,424 direct tests through partners, purchased two mobile units for Health Care District, and supported eight public sites.
Non-Congregate Sheltering	For individuals: Test Positive for COVID-19 that require isolation, have been exposed to COVID-19 and warrant quarantine, and persons needing social distancing as precautionary measure	\$5,649,981	\$5,649,663	\$318	\$0	Established agreements with seven hotels with access to 424 rooms; over 175 homeless individuals residing at John Prince Park were relocated
Broadband Enhancements	Teleworking and long distance learning capabilities	\$15,750,000	\$15,439,427	\$310,573	\$0	Added over 400 miles of additional fiber and extended the County network to 98 schools
Childcare	Childcare expenses	\$992,333	\$992,333	\$0	\$0	The Early Learning Coalition served 2,086 youth through 253 Childcare providers
Cultural Programs	Cultural programs affected by COVID-19	\$190,846	\$190,846	\$0	\$0	Assisted 15 cultural organizations.
Non-Profit Organizations	Eligible NPO's affected by COVID-19	\$4,240,000	\$4,240,000	\$0	\$0	Assisted 216 eligible organizations
Health Dept Contact Tracing	COVID-19 contact tracing	\$1,000,000	\$1,000,000	\$0	\$0	
Vaccines	COVID-19 Vaccines	\$5,457,843	\$4,037,691	\$1,420,152	\$0	Supported five sites and two mobile units
<b>Total</b>		<b>\$263,015,817</b>	<b>\$251,412,206</b>	<b>\$10,231,077</b>	<b>\$1,372,534</b>	



# CARES Act Expenditures



- Approximately **\$1.8 Million** was received in Interest Earnings, with a total current budget of **\$263,015,817**



A black and white photograph of a park walkway. The walkway is paved and runs along a row of palm trees and other vegetation. Several street lamps with spherical globes are spaced along the path. In the background, a large, multi-story building is visible. The sky is clear and light-colored.

# American Rescue Plan Act

# Coronavirus Local Fiscal Recovery Fund

State of Florida Allocation: **\$8.816 Billion**

Palm Beach County Amount: **\$290,730,026**

50% received on May 20, 2021  
50% to be provided May 20, 2022

Separate amounts available to Palm Beach County  
Municipalities  
**Estimated \$206 Million**



# County American Rescue Plan Act Funding

- Coronavirus Local Fiscal Recovery Fund (CLFRF) **\$290,730,026**
- Emergency Rental Assistance Program ARPA **\$48,921,764**
- Palm Tran ARPA – approx. **\$56M**
- Airports ARPA – approx. **\$23.5M**
- HOME-ARPA – approx. **\$8M**
- Potential Pass-through grants from State
  - Section 2911 – Additional Funding for LIHEAP (State total **\$80.7 million**)
    - Palm Beach County - **\$2,050,473**
  - Section 2912 – Water Utility Assistance Program (State total **\$42.5 million**)



# Sources of Guidance



Legislative  
Text



Interim Final Rule

Issued May 17, 2021

60 day comment period

Potential changes to Interim Final Rule based on comments



Treasury Frequently Asked Questions

Updated three times since original version in May

Additional updates expected





# Use Categories



Category A

Respond to COVID-19  
or its negative  
economic impacts



Category B

Premium Pay



Category C

Revenue Loss



Category D

Water, Sewer, and  
Broadband  
Infrastructure



# Category A

## Respond to COVID-19 Eligible Expenditures

Eligible Uses	Details (IFR p. 11-21)
<p><b>Containing/Mitigating Covid-19</b> (IFR p. 16)</p>	<ul style="list-style-type: none"> <li>• Vaccine programs, PPE, medical expenses</li> <li>• Enhancing public health data systems</li> <li>• <b>Capital investments in public facilities to meet pandemic operational needs etc.</b></li> </ul>
<p><b>Behavioral Healthcare Needs</b> (IFR p. 17)</p>	<ul style="list-style-type: none"> <li>• Mental health/substance abuse treatment</li> <li>• Crisis intervention/hotlines</li> <li>• Services to promote access to social services</li> </ul>
<p><b>Payroll/Benefits for:</b> Public health/safety Human services Similar employees (IFR p. 18)</p>	<ul style="list-style-type: none"> <li>• Eligible to the extent that the work completed was for COVID-19 response/mitigation.</li> <li>• For administrative convenience, <b>public health/safety workers</b>, recipients can use funds to cover the <b>full payroll and covered benefits costs</b> for employees or operating units or divisions <b>primarily dedicated to the COVID-19 response.</b></li> <li>• Payroll and covered benefits can also be used for an employee’s pension benefits as part of their payroll contribution to their pensions (FAQ 43).</li> </ul>



# Category A

## Respond to Negative Economic Impacts Eligible Expenditures

Eligible Uses	Details (IFR p. 21-38)
<p align="center"><b>Impacted Industries (Tourism/Travel/Hospitality etc.)</b> (IFR p. 32)</p>	<ul style="list-style-type: none"> <li>Implement COVID-19 mitigation/prevention measures to enable <b>safe resumption</b> of tourism, travel, and hospitality services               <ul style="list-style-type: none"> <li>E.g. improvements to ventilation, physical barriers or partitions, signage to facilitate social distancing, provision of masks or personal protective equipment, or consultation with infection prevention professionals to develop safe reopening plans</li> </ul> </li> </ul>
<p align="center"><b>Rebuilding Public Sector Capacity to Pre-Pandemic Levels</b> (IFR p. 32)</p>	<ul style="list-style-type: none"> <li>Payroll Benefits</li> <li>Rehiring public-sector staff</li> <li>Replenishing UI trust funds</li> </ul>
<p align="center"><b>Small Business support</b> (IFR p. 30)</p>	<ul style="list-style-type: none"> <li>Loans, grants, in-kind assistance for operation continuity, mitigation/prevention, and counseling programs to rebound from the downturn</li> </ul>
<p align="center"><b>Hardest-hit Communities</b> (IFR p. 34)</p>	<ul style="list-style-type: none"> <li>Investing in socioeconomic disparities, housing/communities</li> <li>Addressing disparities in education</li> </ul>



# Category A

## Respond to COVID-19 or its negative economic impacts

- Uses **NOT** in Category A:
  - Payment of interest or principal on outstanding debt instruments, including, for example, short-term revenue or tax anticipation notes, or other debt service costs.
  - A general infrastructure project unless the project responded to a specific pandemic public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact like those described above (e.g., affordable housing in a QCT).



# Category B

## Premium Pay

- Can be used **retroactively (IFR p. 45)**
- Employees of the jurisdiction designated by executive as essential (IFR p. 43)
- Can be provided directly, or through grants to private employers to public health/safety staff and essential workers outside the public sector:
- Workers at food production facilities, grocery stores, and restaurants, janitors/sanitation workers, truck drivers, and warehouse workers etc.
  - Contact workers performing essential work also eligible.
    - *E.g. If a municipality contracts with a third party to perform sanitation work, the third-party contractor could be eligible to receive a grant to provide premium pay for these eligible workers*



# Category C

## Revenue Loss

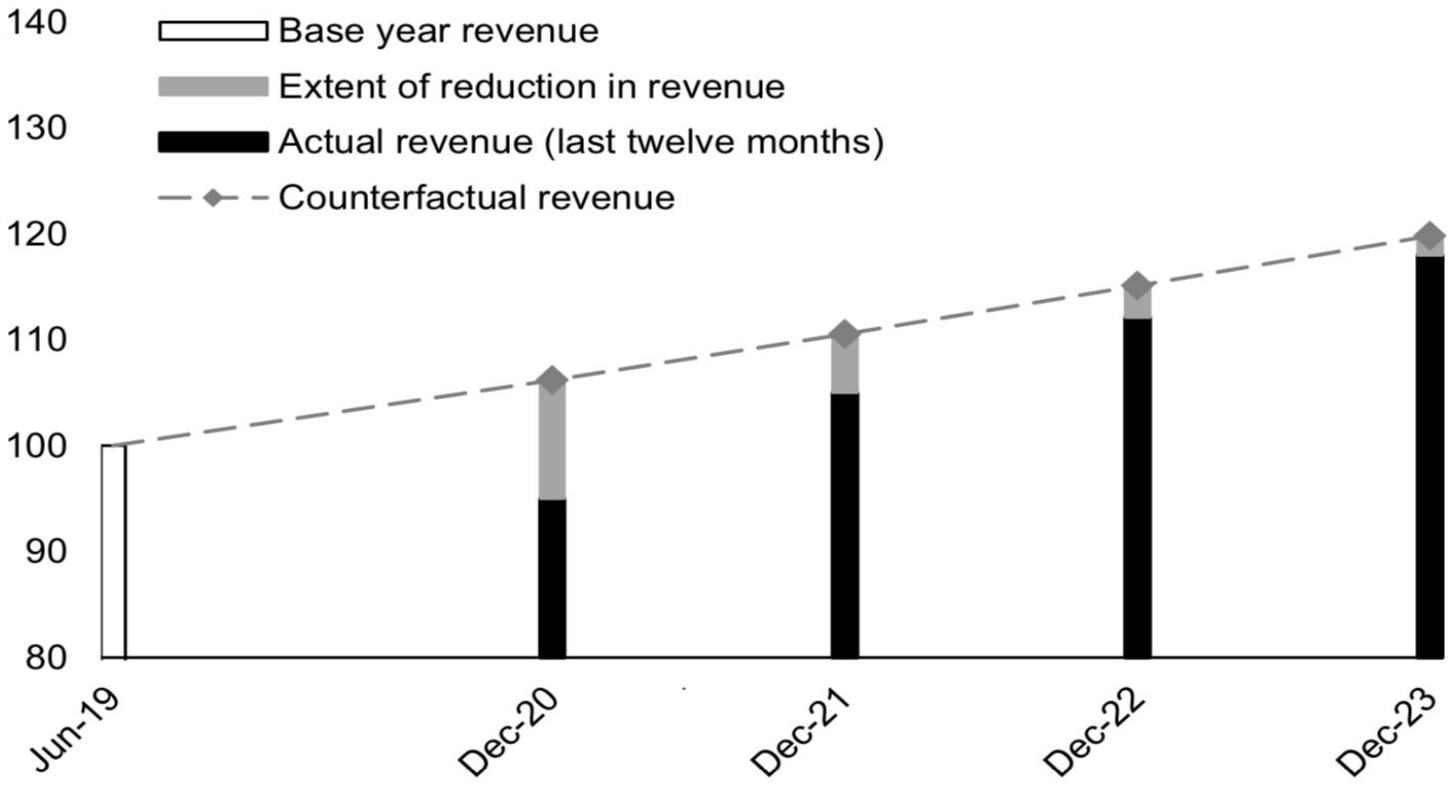
- Category C is for the provision of government services, separate from other categories
  - Government services is a general, broad term
  - Not limited to COVID-19 response, like Category A
- Amount under this category is limited to the extent of the reduction in revenue



# Category C

## Revenue Loss

The overall methodology for calculating the reduction in revenue is illustrated in the figure below:



According to Treasury guidance, the revenue growth assumption should be the greater of 4.1% of the County's average annual revenue growth over the three full fiscal years prior to the COVID-19 pandemic.



# Category C

## Revenue Loss

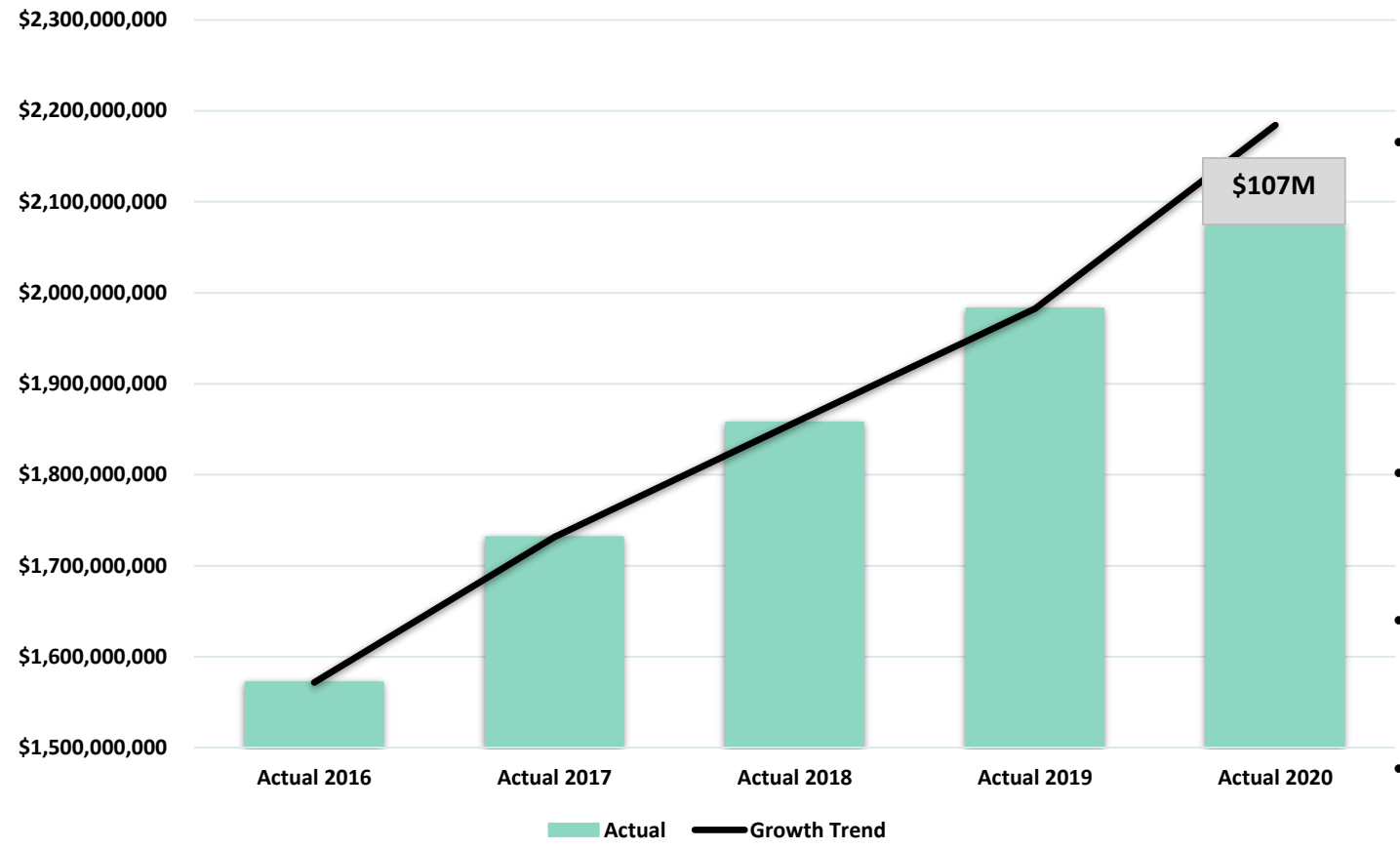
What is OUT of the revenue calculation?	What is IN the revenue calculation?
<ul style="list-style-type: none"><li>• Federal transfers (even those flowing through the State) (IFR p. 50)</li><li>• Intergovernmental transfers from your entity to your entity (Census p. 45)</li><li>• Revenues from utilities (water supply, electric power, gas supply, and public mass transit systems) (Census p. 65)</li><li>• Refunds and other correcting transactions (IFR p. 49)</li><li>• Proceeds from the issuance of debt (IFR p. 49)</li><li>• Liquor store revenues (Census p. 62)</li></ul>	<ul style="list-style-type: none"><li>• Everything not listed above<ul style="list-style-type: none"><li>• taxes, fees and other revenues to support public services</li></ul></li><li>• Including Fees generated by the underlying economy<ul style="list-style-type: none"><li>• Component units and enterprise funds</li><li>• civic center, zoo, parking, ports, sports stadiums etc. etc. etc.</li></ul></li></ul>





# Category C – County Calculation

## Revenue Loss Across All Funds\*



- Actual FY 2020 Revenue is based on a **calendar year**, not Fiscal Year, per the Treasury calculation guidance
- According to Treasury guidance, the revenue growth assumption should be the greater of 4.1% or the County's average annual revenue growth over the three full **fiscal years** prior to the COVID-19 pandemic.
- The County's three year Average Annual Growth Rate was 8.06%
- Using the Treasury's formula, the County is entitled to \$107 million in the Revenue Loss category for FY 2020
- Future years will be calculated as they are completed

\* Excludes Utilities, Transit, Debt funds. Also excludes interfund transfers, and grant revenues



# Category C

## Revenue Loss

- Expenditures under this category must be for “provision of government services”

*“Broad latitude to use the Fiscal Recovery Funds for the provision of government services”*

- Specifically named by Treasury [but not limited to]:
  - Maintenance or pay-go funded building of infrastructure
  - The provision of police, fire, and other public safety services
- “Provision of government services” does not include:
  - Interest or principal on any outstanding debt instrument
  - Replenishing financial reserves



# Category D

## Water, Sewer, and Broadband Infrastructure

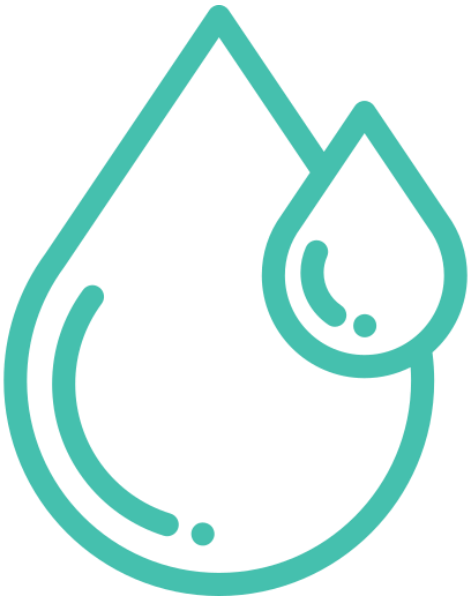
- Category D allows governments to make necessary investments in water, sewer, or broadband infrastructure
- Treasury states that “necessary investments” are “designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds”
- Encouraged to use project labor agreements; Treasury will be seeking information on workforce plans and practices for transparency and disclosure
- There is no COVID-19 relationship in this category



# Category D

## Water, Sewer, and Broadband Infrastructure

- Water and sewer infrastructure
  - Wide latitude on types of projects
  - May include privately-owned infrastructure
  - Implemented by using standards for projects eligible for:
    - Clean Water State Revolving Fund (CWSRF)
    - Drinking Water State Revolving Fund(DWSRF)



# Category D

## Water, Sewer, and Broadband Infrastructure

- Clean Water State Revolving Fund (CWSRF)
  - Wastewater treatment plants
  - Decentralized wastewater treatment systems
  - Storm water systems
  - Control of non-point sources of pollution
  - Water conservation, efficiency and reuse measures
  - Watershed pilot programs
  - Security measures
  - Projects to reduce energy consumption to treat drinking wastewater
  - Severe weather resiliency projects



# Category D

## Water, Sewer, and Broadband Infrastructure

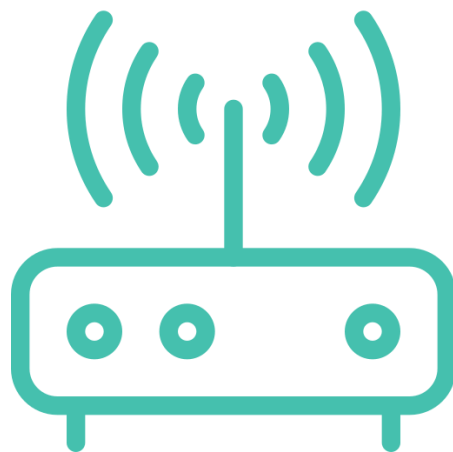
- Drinking Water State Revolving Fund (DWSRF)
  - Treatment systems
  - Transmission and distribution
  - Source rehabilitation and decontamination
  - Storage
  - Consolidation
  - Security measures
  - Projects to reduce energy consumption to treat drinking water
  - New systems development



# Category D

## Water, Sewer, and Broadband Infrastructure

- Broadband Infrastructure
  - Eligible investments are those that:
    1. Are designed to provide services meeting adequate speeds and
    2. Are provided to unserved and underserved households and businesses
  - Speed requirements
    - Eligible projects should deliver service reliably meeting or exceeding 100 Mbps symmetrical upload and download
    - Where not practicable, 100 Mbps download and 20 Mbps upload scalable to 100 Mbps upload



# Category D

## Water, Sewer, and Broadband Infrastructure

- Broadband Infrastructure
  - Unserved and underserved households
    - Projects are provided to unserved and underserved households and businesses if they lack access to a wireline connection capable of reliably delivering at least minimum speeds of 25 Mbps download and 3 Mbps upload
    - Avoid investing in locations that have existing agreements to build reliable wireline service with minimum speeds of 100 Mbps download and 20 Mbps upload by December 31, 2024





# Miscellaneous Provisions

- May not be used as match for other Federal programs whose statute or regulations bar the use of Federal funds to meet matching requirements
- Funds are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200)
- Costs incurred period is March 3, 2021 to December 31, 2024, based on obligation date (contract date, purchase order date, etc.)
- Final payment date on obligations is December 31, 2026



# Non-entitlement Units of Government

- Counties and cities over 50,000 population receive funds directly from the Treasury
- Governments under 50,000 flow through the State
- States have 30 days from their receipt from the Federal government to distribute;  
States can request a 30 day extension for distribution
- States may not impose stricter limitations on use of funds
- States must distribute in advance, not on a reimbursement basis



# Reporting

- Interim report due on August 31, 2021 for expenditures through July 31, 2021
- Quarterly reports 30 days after quarter end thereafter
- Annual Recovery Plan Performance report for jurisdictions over 250,000 residents due on August 31, 2021 for period through July 31, 2021
- Subsequent Annual Recovery Plan Performance reports for year-ended June 30 each year due on July 31 each year.
- Annual Recovery Plan Performance report must be posted to website





# Discussion on Use of Funds

# Categories of Projects

AMERICAN RESCUE PLAN ACT FISCAL STRATEGY FORECASTED EXPENDITURES		
Palm Beach County Allocation: \$290,730,026		
Activity	Description	Proposed
Behavioral Health	Infrastructure improvements to the behavioral health system of delivery within Palm Beach County.	10,000,000
Broadband/Cybersecurity Infrastructure	Expand broadband and enhance cybersecurity infrastructure .	43,000,000
General Government Expenses	PPEs, marketing and public education messaging, staffing, BCC and Constitutional Officers COVID-19 related expenses	4,000,000
Housing	Increase retention and supply of Affordable and Workforce Housing.	60,000,000
Hunger Relief Infrastructure	Pantry infrastructure, support to extend the life of food, and other related projects. (i.e. - refrigerators/equipment, IT support, hydroponics).	10,000,000
Testing, Vaccines, and Antibodies	COVID-19 and Antibodies Testing, vaccine support, etc.	3,000,000
Infrastructure - County Buildings	Building HVAC Systems, EOC Connection, and other applicable projects.	35,330,026
Infrastructure - Water, Environmental, and Resiliency	Investments in water, sewer, stormwater, and other eligible resiliency projects including Parks Sewer to Septic Conversion and Stormwater Infrastructure.	75,000,000
Infrastructure - Culture	Matching dollars for major or new infrastructure cultural projects.	4,000,000
Revenue Replacement	Replace County revenues as outlined in U.S. Treasury guidelines to cover capital and some operating expenditures.	46,400,000
<b>Total</b>		<b>290,730,026</b>







Questions/Comments