



City Council Special Meeting Agenda

Date: 6/10/2021
Time: 12:00 p.m. (NOON)
Location: City Hall Council Chambers

- Mayor Matt Hall
- Justin Baily
- Diane Ballard
- Jerry Fritz
- Andrew Quick
- Heidi Rasmussen
- Emily Swett
- City Administrator, Barry Cook
- Administrative Services Officer, Cindy Baker
- City Attorney, Scott Kolpitcke
- Action Item:
- American Rescue Plan Award Documents - Authorize the Mayor to sign the Award Terms and Conditions for Non-Entitlement Units of Local Government and the Assurances of Compliance with Title VI of the Civil Rights Act of 1964
 - Staff Reference: Leslie Brumage, Finance Officer
- Consider a request from Patrick McGunagle, Yellowstone Smokejumpers for approval of exclusive use of Lions Park & surrounding area and allow access for overnight camping (15 campers –combination of tents and 3-4 Pod/RV style). For Friday, June 11th departing Sunday June 12th. Estimated total group for a variety of activities is 100. Additionally, approve an open container permit for June 11th 5:00 p.m. – 10:00 p.m. and June 12th 2:00 p.m., – 11:00 p.m. In additional authorize food vendors as requested by event organizers.
 - Rick Manchester, Parks, Recreation and Public Facilities Director

AGENDA ITEM SUMMARY REPORT **American Rescue Plan Award Documents**

ACTION TO BE TAKEN:

Authorize the Mayor to sign the Award Terms and Conditions for Non-Entitlement Units of Local Government, the Assurances of Compliance with Title VI of the Civil Rights Act of 1964, and the State of Wyoming Acceptance of Funds.

SUMMARY OF INFORMATION:

The American Rescue Plan Act of 2021 (ARPA) appropriates \$19.53 billion to States for distribution to tens of thousands of non-entitlement units of local government (NEUs), which are local governments typically serving a population under 50,000. The ARPA directs the Department of the Treasury (Treasury) to make payments to each State for distribution to NEUs within the State. Treasury has published additional guidance around the distribution process to NEUs. Once payment from Treasury has been received, states will have 30 days to disburse payments to NEUs unless an extension is requested. States will issue further instructions on how NEUs can request their first distribution from the state. As this allocation and distribution process moves forward, NEUs with questions about the payment process should consult their state government.

One of the requirements to receive our funding is the City must sign and submit the Award Terms and Conditions, Assurances of Compliance, and the State's Acceptance of Funds document as well as providing a certified copy of the City's operating budget as of January 27, 2020.

FISCAL IMPACT

The City's estimated distribution is \$1.49 million, split into two tranches; with the second tranche occurring 12 months after the first.

ATTACHMENTS

1. Award Terms and Conditions for Non-Entitlement Units of Local Government
2. Assurances of Compliance with Title VI of the Civil Rights Act of 1964
3. Acceptance of Funds

OMB Approved No. 1505-0271
Expiration Date: November 30, 2021

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient Name and Address: City of Cody 1338 Rumsey Ave Cody, WY 82414	DUNS Number: 177929338 Taxpayer Identification Number: 83-6000052 Assistance Listing Number: 21.027
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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: Mayor

Date signed:

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

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 603 of the Act, regulations adopted by Treasury pursuant to section 603(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 603 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 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
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 section 603(e) 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 sub-recipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances 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 assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

City of Cody , Matt Hall - Mayor

Recipient

Date

Signature of Authorized Official

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 30 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.

To: Matt Hall, Mayor

From: Erica Legerski, Governor's Office

Date: June 8, 2021

Subject: Non-Entitlement Unit Pass-through

NEU a unique "NEU Recipient Number": WY4516

CFDA # - 21.0127

In order to receive ARPA funds, we need information verified and documents signed and sent back us no later than - June 15, 2021

As you are aware, the American Rescue Plan Act of 2021 (ARPA) appropriated \$19.53 billion to States for distribution to tens of thousands of "non-entitlement units of local government" (NEUs). ARPA directs the Department of the Treasury (Treasury) to make payments to each State for distribution to NEUs within the State.

As explained more below, while the State is responsible for distributing these payments, the NEUs are the prime recipients of these monies and are solely responsible for appropriately spending and reporting these funds to Treasury.

The State Budget Department along with the Governor's Office will be administering these funds. You may have already provided us much of the key information required for us to make your distribution, thank you. Please return a signed copy of this memo, review the information below and correct any inaccurate information or fill in any incomplete sections, and provide the required documentation explained below. Please send this via email to request funding to Gwynne James (gywnne.james1@wyo.gov) and Erica Legerski (erica.legerski@wyo.gov).

The State needs the following information and documentation prior to initiating payment. Please verify **or provide the information listed below:**

- **Local government name:** Cody city
-
- **Local government address:** 1338 Rumsey Avenue, Cody, WY 82414
- **Entity's Taxpayer Identification Number:**
- **DUNS number:** 177929338
- **Are you registered with SAM.gov:**
- **Authorized representative name:** Matt Hall
- **Authorized representative title:** Mayor
- **Authorized representative email:** mhall@cityofcody.com

- **Contact person name:** Leslie Brumage
- **Contact person title:** Finance Officer
- **Contact person phone:** 3075277511
- **Contact person email:** leslieb@cityofcody.com
- **Financial institution information:**
 - Routing: _____
 - Account number _____
 - Financial Institution name _____
 - Contact information _____
- **Total NEU budget:** _____
 - *(defined as the annual total operating budget, including general fund and other funds, in effect as of January 27, 2020) or top-line expenditure total (in exceptional cases in which the NEU does not adopt a formal budget). The “75 percent cap” applies. Section 603(b)(2)(C)(iii) of the Act and the Interim Final Rule (IFR) provide that each NEU’s total award (i.e., the total of distributions under both the First and Second Tranche) is capped at 75 percent of its annual total operating budget, including the general fund and other funds, in effect as of January 27, 2020*

Please attach a copy of the following documents:

- Signed Award terms and conditions agreement *(as provided by Treasury to be signed)*
- Signed Assurances of compliance with Title VI of the Civil Rights Act of 1964 *(as provided by Treasury to be signed)*
- Your top-line total of your reference budget, **certified by** an authorized representative. If you do not adopt a formal budget, please certify your most recent annual total expenditures as of January 27, 2020 in lieu of the budget total.
 - These numbers may be verified against a copy of the appropriate budget documents submitted in your first report to Treasury.

Prior to funds being distributed the State must do the following:

- Confirm the NEU is not excluded or disqualified in compliance with 2 C.F.R. Part 180 and Treasury’s implementing regulation at 31 C.F.R. Part 19.
- Provide guidance to NEUs on their reporting requirements to Treasury (October 2021).
 - As **prime recipients** of a Federal award, NEUs are required to report to the US Treasury on the use of funds.
- States should ensure each NEU has the reporting guidance provided by Treasury, which is forthcoming. Please watch for this. It will be sent via email when the State has received it.
 - NEUs’ first report is due to the Treasury by October 31, 2021.
 - Retain a copy of the award agreements for upload with the first report to Treasury.
- Pursuant to 2 C.F.R. Part 25, States should advise the NEU to register in SAM.gov as soon as possible.
- As part of this process, States should assign each NEU a unique “NEU Recipient Number” starting with the two letter State abbreviation followed by four numeric digits (e.g., AZ0231).

- Retain this NEU Recipient Number as an identifying number for the lifecycle of the program, including for reporting purposes.
- You can find this number at the top of this memo
- Provide guidance to NEUs on their requirements to Treasury. There is a link to the guidance list below.

Once we have all your documentation back and verified, we will make the necessary calculations and send you the amount you will receive. We anticipate that all payments will be made by June 25, 2021 to all NEUs that meet requirements.

Your entity will be treated as a prime recipient and you will be asked for the following information in your first report to Treasury (please refer to website often as items may be added):

- NEU Recipient Number (a unique identification code for each NEU assigned by the state to the NEU as part of the request for funding)
 - This is located at the top of this memo.
- Receive a copy of signed award terms and conditions agreement from the NEU.
- Receive a copy of signed assurances of compliance with Title VI of the Civil Rights Act of 1964 from the NEU.
- Receive a copy of actual budget documents validating the top-line budget total provided to the state as part of the request for funding from the NEU.

Below is the link to the Coronavirus State and Local Fiscal Recovery Funds for Non-entitlement Units of Local Government:

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-fund/non-entitlement-units>

Please find attached as of 6-7-21: (all of this came from the website listed above - please check frequently as new items will be added).

1. [Guidance on Distribution of Funds to Non-entitlement Units of Local Government](#)
2. [Non-entitlement Unit of Local Government Definitional and Data Methodology](#)
3. [Interim Final Rule](#)
4. [FAQs \(on Distribution of Funds to NEUs\)](#)
5. [Non-entitlement Unit of Local Government Checklist for Requesting Initial Payment](#)
6. [Award Terms and Conditions for Non-entitlement Units of Local Government](#)
7. [Assurances of Compliance with Title VI of the Civil Rights Act of 1964](#)

If a State receives notification from an NEU that it would like to decline its funding allocation and transfer funds to the State under Section 603(c)(4) of the Act, Treasury will consider this action as a cancellation of the award on the part of the eligible NEU and a modification of the award to the State. A State will not be required to transfer the amount of the payment to the NEU just for the NEU to transfer it back to the State. As part of this process, the NEU must provide a signed notice to the State, which the State must transmit to Treasury as part of its interim report due August 31, 2021 (or as part of a subsequent report, if applicable). If the NEU does not provide

such notice, it will remain legally obligated under the award with respect to accounting for the uses of the funds and the reporting on such uses. Treasury will provide a standard notice form that will be required for this use.

By signing below, you are either agreeing to accept funds and the reporting requirements as well as validating the information provided OR you are planning to decline funds.

Non-Entitlement Unit Authorized Signer:

Accept Funds: _____

Planning to Decline Funds: _____

Authorized Signer: _____

Title: _____

Date: _____

MEETING DATE: JUNE 10TH, 2021
DEPARTMENT: PARKS, RECREATION, AND PUBLIC FACILITIES
PREPARED BY: RICK MANCHESTER, DIRECTOR
PRESENTED BY: RICK MANCHESTER

Agenda Item Summary Report
Overnight Camping and Park Usage Request
West Yellowstone Smokejumpers, US Forest Service

ACTION TO BE TAKEN:

The event organizers are requesting that City Council gives approval for closing Lions Park and allow co-workers of Tim Hart (West Yellowstone Smokejumpers) access for overnight camping and park usage at Lions Park and surrounding Beck Lake Reservoir, Friday, June 11th – Sunday June 13th. Estimated group size is 100 persons and 15 campers.

Additionally, an open container permit at Lions Park is being requested by the event organizers June 11th, 5:00 pm – 10:00 pm and June 12th, 2:00 pm – 11:00 pm.

SUMMARY OF INFORMATION:

Organizers ask permission to allow for overnight camping and the ability to park a small number of RV type vehicles. Organizers are working closely with City staff to allow for the smokejumpers to congregate and overnight camp at Lions Park and the surrounding Beck Lake Reservoir, Friday June 11th – Sunday, June 13th. The event would like to have a campfire in order to honor Tim Hart with stories and conversation. A hose bib and access to water is located at the bike park approximately 20 yards from planned fire pit. Event organizers will plan for and have restroom facilities including porta poties and hand wash stations delivered to the park premises. City will arrange for two additional dumpsters to be delivered to park location. Event organizers understand and accept responsibility for trash and cleanup. Barricades will be placed at the top entrance of Lions Park. Event organizers understand they will accept responsibility for traffic control to and from the top of park entrance.

FISCAL IMPACT

Lions Park Reservation (6/11 – 6/13):	\$75
City Park Open Container Permit 6/11- 6/12:	<u>\$100</u>
Total:	\$175

ALTERNATIVES

1. Approve request in its entirety
2. Deny the request in its entirety
3. Modify and approve the request

ATTACHMENTS

1. Agenda Request Form

AGENDA ITEM NO. _____

AGENDA & SUMMARY REPORT TO:

Patrick McGunagle, Yellowstone Smokejumpers
Chief Baker, Cody Police Department
Eric Asay, Parks Supervisor



City of Cody Agenda Request Form



In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns or provide additional information. Some requests may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferably at least 14 days prior to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared in advance prior to Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council Patrick McGunagle 4062120768 Nate Ochs 6055170422

Organization Represented West Yellowstone Smokejumpers, US Forest Service

Date you wish to appear before the Council 9 or 10 June 2021

Email Address patmcgunz@gmail.com 4062120768 Telephone _____

Names of all individuals who will speak on this topic Gordon Ruble 3078993585

Event Title (if applicable) Tim Hart Smokejumper Memorial Reception

Date(s) of Event (if applicable) 11 and 12 June 2021

Location of Event (if applicable) Lions Club Recreation Access, Cody, WY

Full description of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable) Tim Hart, of Cody, WY, is a smokejumper for the US Forest Service in West Yellowstone, MT. Tim passed away responding to a wildfire last week; Tim's memorial is 12 June at the community

football field in Cody. Tim's wife has a property where older and closer family will stay Friday and Saturday night, however, to not overwhelm her,

the smokejumpers seek extra space to reflect and camp and are hoping to rent Lions Club Rec Access as a congregation area post-reception. Sanitation by

lverson Sanitation will be rented and due diligence for city health code, law enforcement, and all other wishes will be adhered to. Estimated group size is 100 persons, 15 campers.

Which City employee(s) have you spoken to about this issue? Rick Manchester

Signature Patrick McGunagle

Digitally signed by Patrick McGunagle
Date: 2021.06.09 11:03:44 -06'00'

Date 9 June 2021