



# CITY OF FERNLEY

## CITY COUNCIL AGENDA REPORT

Meeting Date: January 5, 2022

<b>REPORT TO:</b>	Mayor and City Council
<b>REPORT FROM:</b>	Trisha Conner, Assistant to the City Manager
<b>REVIWED BY:</b>	Daphne Hooper, City Manager
<b>REVIEWED BY:</b>	Brandi Jensen, City Attorney
<b>REVIEWED BY:</b>	Denise Lewis, City Treasurer

<b>FINANCIAL IMPACT:</b> Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	<b>CURRENTLY BUDGETED:</b> Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	<b>FUND/ACCOUNT:</b> ARPA Funds 220-480-810
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**ACTION REQUESTED:**  Consent  Ordinance  Resolution  Motion  Receive/File

**AGENDA ITEM: Staff Report (For Possible Action): Possible Approval for an Amendment to the American Rescue Plan Act subrecipient agreement between the City of Fernley and Boys & Girls Club of Truckee Meadows.**

**Agenda Item Brief:** The proposed amendment includes a correction in Section E, subsection 7. Subsections 8, 9, and 10 in Section D – Award Assurances were added. Subsection 8 and 9 explains the single audit requirements and the limited scope audit requirements, respectively. Section 10 ensures the subrecipient has a Dun and Bradstreet Universal Number System. The agreement has also been formatted with alphabetic subsections instead of bullet points.

**Recommended Motion:**  
“I move to approve the Amended ARPA subrecipient agreement between the City of Fernley and Boys & Girls Club of Truckee Meadows.”

**Business Impact (per NRS Chapter 237):**

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

**ALTERNATIVES:**

Council may make any amendments or adjustments.

**BACKGROUND:**

City Council approved the subrecipient agreement between the City of Fernley and the Boys & Girls Club on November 17, 2021. Staff would like to amend the contract for the following:

- The amended agreement has been formatted with alphabetic subsections instead of bullet points.
- In Section E, subsection 7 the words ‘Court Appointed Advocates for Children’ was removed and replaced with ‘Boys & Girls Club of Truckee Meadows’. Furthermore, the following provision was deleted from E.7. and re-inserted as a separate provision under E.8.

Compliance with Title 2 of the Code of Federal Regulations (CFR) and any guidance in effect from the Office of Management and Budget (OMB) related (but not limited to) audit requirements for grantees that expend \$750,000 or more in Federal awards during the grantee’s fiscal year must have an annual audit prepared by an independent auditor in accordance with the terms and requirements of the appropriate circular.

- Subsection 8 was added in Section E regarding the subrecipient to comply with the single audit requirements if the grantee annually expends \$750,000 or more in federal funds.
- Subsection 9 was added in Section E regarding the subrecipient to comply with the limited scope audit requirements if the grantee does not expend annually \$750,000 or more in federal funds.
- Finally, Section 10 was added to ensure the subrecipient has a Duns and Bradstreet Universal Number System, as required by the American Rescue Plan Act, if the subaward is \$50,000 or more.

The Agreement Amendment does not include changes to the award amount.

**LEGAL IMPLICATIONS:**

The City of Fernley must comply with Department of the Treasury, 31 CFR Part 35, Coronavirus State and Local Recovery Funds.

**FINANCIAL IMPLICATIONS:**

A formal expenditure plan will be presented to the City Council for approval prior to any obligation of these funds. Funds may be used for eligible costs incurred during the period beginning March 3, 2021, and ending December 31, 2024, for purposes established in the Act. Funds must be obligated by December 31, 2024, and projects in progress must be completed by December 31, 2026. Any funds not obligated by December 31, 2024, must be returned.

**ATTACHMENTS:**

- Amended Subrecipient Agreement – markup
- Amended Subrecipient Agreement – no markup