

2022

Daniel P. McCoy  
County Executive

# RECOVERY PLAN PERFORMANCE REPORT

Albany County  
New York



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## GENERAL OVERVIEW

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### EXECUTIVE SUMMARY

**Introduction.** The COVID-19 pandemic had a direct and devastating impact on many local governments, including Albany County, New York (the “County”). Indeed, to battle back, and to build back better, stronger and smarter, it will take all of us working together in a partnership to accomplish this herculean task.

**County of Albany Allocation.** The \$1.9 trillion American Rescue Plan Act of 2021 (“ARPA”) signed into law on March 11, 2021, provides \$350 billion in emergency funding for state, local, territorial, and Tribal governments to help mitigate the long-term effects of the Pandemic and to remedy the disparity between rising costs and falling revenues. The County has been allocated to receive \$59.3 million in two equal tranches, creating a historic opportunity to achieve fiscally responsible objectives that will shape the County’s recovery and future.

**Strategic Recovery and Resiliency Spending Plan.** It is in the best interest of the County to identify best practices, procedures and a strategic plan for ensuring that the County, its residents, businesses and stakeholders realize the maximum relief and benefits available under its allocation of ARPA aid. *This Recovery Plan is a living document and will continue to evolve as the County continues to engage stakeholders and monitor additional Federal actions and other possible funding sources that could shift the demands on its ARPA funding.*

**Key Goals.** We must reflect upon what we learned through COVID-19. As we have navigated our way through this pandemic, we have:

1. Reimagined our operations and workforce;
2. Developed a better understanding of the health disparities in our communities and the need to address them;
3. Seen the progression of growth industries and introduction of clean, green energy sources and the necessity to foster development of their technology and infrastructure;
4. Made a commitment to economic development and are cognizant of the fact that the strategic location of some projects can be the catalyst to strengthen communities;
5. Developed an understanding that investment in our communities does not begin and end with economic development; but rather, requires our continued partnership and investment in businesses, not-for-profits and residents to bring a sense of pride, ownership and community to our neighborhoods;

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6. Recognized the intersection of health, mental health and recreation for our youth and the for the public as a whole and the need to break down barriers to create broader opportunities for all citizens; and
7. Seen the internet/broadband challenges that exist in both rural and urban areas, and the significant hindrance this has had on our students and residents.

Moving forward, key goals in the County’s recovery include support for community members and organizations that have been impacted or disproportionately impacted by the COVID-19 pandemic. The County’s use of ARPA fund will be intended to address and combat the root cause of identified pandemic-related impacts. We will strive for systematic changes that will provide the most strategic and sustainable long-term benefits for the County’s vast number of stakeholders, rather than investing in short-term solutions, with the overarching vision of creating a more inclusive and sustainable economy in our County. At the same time, we recognize there may be some emergent short-term needs that require funding while long-term solutions are developed.

**Two-Phased Approach.** With the understanding of the above, the County has developed a two-phase approach.

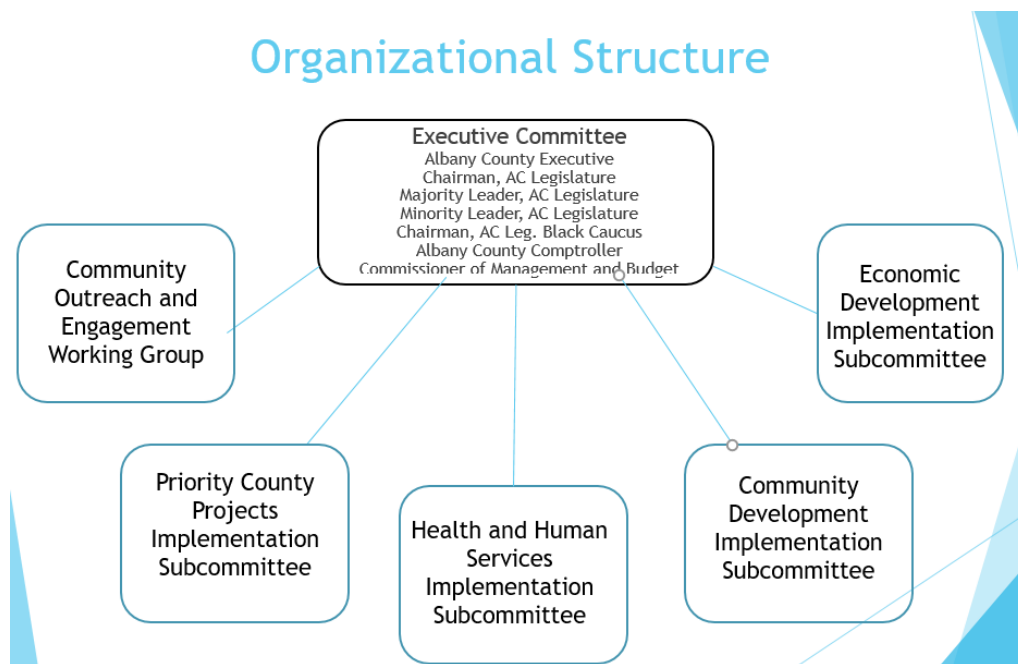
**Phase I Update.** Phase I has focused on the direct fiscal impact to County government revenues as a result of the pandemic. In 2020, Albany County experienced significant revenue losses. Such a deficit in a single year could be absolutely crippling to the operations of a government. Fortunately, during the eight years preceding the COVID-19 pandemic, Albany County Executive Daniel P. McCoy set forth prudent fiscal policies that increased the County’s fund balance. Further, during the pandemic, the County developed key strategies to curtail spending, including the implementation of a hiring freeze and a committee to examine the filling of vacancies, and the establishment of an Early Separation Payout (“ESP”) program. All of these actions were necessary in our response to COVID-19, but even with these actions, the County experienced severe revenue losses.

ARPA provides the County the ability to recover \$29.5 million of qualified revenue losses. In 2021, during Phase I of our plan, the County used these funds to cover costs associated with the provision of essential government services, including but not limited to:

- Salary and fringe for the continuation of routine services, e.g., public safety, public health, social services, recreation, roads/highways, etc.;
- Salary and fringe for additional or enhanced services developed in response to the COVID-19 pandemic, e.g., contact tracing, vaccination, testing, public education, etc.; and
- Programmatic and contractual expenditures for the continuation of routine services as well as novel, just-in-time enhanced services developed in response to COVID-19.

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**Phase II Commencement.** As of the date of this report, the County is establishing its Phase II data-driven, decision-making process to engage and assess community needs that will have meaningful impacts to our most vulnerable, underserved and impacted stakeholders. A decision-making framework has been established to oversee the use of Phase II funds that will adhere to Treasury guidelines, combat the negative impacts of COVID-19, and set the County on a path to sustainable and inclusive economic growth. This framework includes an Executive Committee comprised of key County elected leaders as well as focused subcommittees comprised of County representatives and public stakeholders.



**USE OF FUNDS**

**Spending Requirements.** ARPA funds must be “obligated” by State and Local Governments no later than December 31, 2024, and fully expended by December 31, 2026. According to the Final Rule, the U.S. Treasury adopted “a definition of ‘obligation’ that is based on the definition used for purposes of the Uniform Guidance (2 CFR part 200), which will allow for uniform administration of this requirement and is a definition with which most recipients will be familiar.”

**Eligibility.** As Phase II commences, the County is continuing its comprehensive review of ARPA eligible expenditures. This will be a collaborative approach with both elected and administrative officials of the County, and other stakeholders. The County’s goal is to fully understand the overarching needs of those impacted by the pandemic and to identify eligible uses of ARPA funds that will best mitigate those effects and assist in the County’s long-term recovery.

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Funding is subject to the requirements specified in the Final Rule which was adopted by the U.S. Treasury in January 2022. As detailed in the Final Rule, subject to future changes and/or amendments, recipients may use funds to:

- *Support Public Health Expenditures*: For example: mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
- *Address Negative Economic Impacts*: Including economic harm to workers, households, small businesses, impacted industries and the public sector;
- *Replace Lost Revenue*: This is a formula driven calculation;
- *Provide Premium Pay to Essential Workers*: Offering additional support to those who have and will bear the greatest health risks because of their service in critical public sectors, and;
- *Invest in Certain Types of Infrastructure*: Such as Water, Sewer, and Broadband.

**Comprehensive Analysis.** Funding requests, both internal and external, will be carefully evaluated to ensure prospective projects maximize the County's allocation of ARPA aid, promote the long-term structural fiscal health of the County and comply with U.S. Treasury guidelines and requirements.

In conducting its review of prospective uses of ARPA funding, the County and Sub-Committee(s) shall:

- Frame and prioritize issues;
- Conduct internal analyses;
- Deliver community outreach, public engagement and/or informational meetings;
- Provide recommendations to the ARPA Executive Committee, which may include formal presentations, and;
- Provide implementation support as appropriate and necessary.

**Expenditure Categories.** The County plans to distribute ARPA funding under the following categories:

- Support the Public Health Response
- Address Negative Economic Impacts
- Restore Public Sector Capacity
- Water, Sewer, and Broadband Infrastructure
- Revenue Replacement / Administrative

**Other Funding Sources.** The County is aware that there are other potential funding sources that may help finance programs and other ARPA requests. To that end, the County shall investigate alternative funding sources to be used in addition to or in conjunction with the ARPA funds.

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## **PROMOTING EQUITABLE OUTCOMES**

The County is invested both in ensuring any programs enacted using ARPA funding are conducted equitably, and in funding programs that specifically address existing inequities.

**Economic Impacts.** The COVID-19 pandemic was more than just a health concern. The economic impact of COVID-19 continues to come into sharper focus, and governmental entities across the United States remain in the direct line of fire. Due to the dynamic nature of the COVID-19 outbreak, the degree of any continuing impact on the County’s operations and finances is extremely difficult to predict. There are many uncertainties relating to the pandemic’s duration and severity, as well as with regard to what actions may be taken by Federal or State governments and other health care authorities to contain or mitigate its impact. As such, it will be important for the County to:

- Continually monitor how revenues have been and will continue to be affected by the pandemic-induced economic downturn;
- Use such proactive measures as may be required to maintain its operations and meet its obligations; and
- Plan for the best and most strategic long-term use of its ARPA allocation.

**Local Impacts.** Throughout the economic shutdown and facing fiscal uncertainty, the County led its residents through the uncertainty and managed the crisis to the best of its ability. County staff remained on the frontlines, working throughout the crisis to assist residents and stakeholders every step of the way, whether with food deliveries, quarantine information and guidance, rental assistance and direction, and information and feedback; the County remained operational throughout the COVID-19 pandemic. Nevertheless, the pandemic has demonstrated how poverty fosters disparities in negative public health and safety outcomes for residents living in low-income or segregated neighborhoods. Albany County is not unique in that “social determinants of health” – the conditions in the environments where people are born, live, learn, work, play, worship, and age – affect a wide range of health, functioning, and quality-of-life outcomes and risks. And because everything is interrelated, factors like socioeconomic status, education, neighborhood and physical environment, employment, and social support networks, as well as access to health care, ultimately impact the whole health of our community and our residents. Therefore, the County’s recovery efforts aim to address not only the systemic roots of poverty but its symptoms.

**Albany County “Stat” and Data-Driven Government & Services.** County government is the largest provider of social services in the County and delivers key social safety net programs to thousands of County residents each year. These programs are both federally-, state-, and locally-funded through a variety of sources. Ultimately, these programs are intended to aid residents in need and move them to self-sustainability and economic mobility. Because Albany County recognizes that a large part of providing equitable services to our communities is centered on utilizing the data we collect to better inform and steer those services, the County is restructuring

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its underlying data infrastructure across various departments and programs. The key objectives of this work are to:

- Provide senior leadership at the organization with better business intelligence regarding the populations being served by the County's programs;
- Better target specific programs at appropriate recipients;
- Better understand the impact and "return on investment" (ROI) of programs, and;
- Enable the County to innovate higher-intensity programming for residents who need additional support and who are high-utilizers of county programming for long periods of time.

Over time, the County will create a Data Analytics Division within its Department of Management and Budget. This unit will focus not only on the reactive effort to examine existing programs and services with the goal of improving effectiveness and efficiency, but also the proactive goal of using data to develop new programs. Constant evaluation through the development of performance indicators will provide the County with feedback on how effective our efforts and resources are towards effectuating change on their intended targets. Coordination of this initiative will be centralized within the Department of Management and Budget, and additional personnel will be embedded within departments per the County's Comprehensive Workforce Development Plan. This structure will allow expertise and specialization within each department while also preserving the overarching County-wide goals that frequently cut across departmental responsibilities.

As of July 2022, the County has taken measurable steps to modernize its data capabilities, with a particular focus on creating internal structure, competence, and culture that promotes using and sharing data to make programmatic decisions and improvements. The County's Department of Management and Budget has hired a Data Analytics and Performance Management Coordinator. Additionally, the County Executive has tasked the Department of Management and Budget with the development of a County Data Strategy to function as a roadmap for implementing the County's data vision and mission.

Concurrently, the County Executive, the Department of Management and Budget, and the Division of Information Services have engaged a consultant, and are working with the County's Department of Aging; Department of Children, Youth and Families; Department of Health; Department of Mental Health; Department of Probation; and Department of Social Services to map their data systems. This process includes reviewing databases, processes, reports, key performance indicators, required reporting, common data fields, and other data infrastructure components. Using the information gleaned from data mapping, the consultant will develop a data infrastructure plan to best meet the county's needs. Part of this plan will include a technical recommendation regarding the IT solution needed to execute on the County's Data Strategy. By revamping the County's underlying data infrastructure, we can more effectively provide wrap-around services to constituents, develop new, targeted programs to constituents historically excluded from government services, and internally realize economies of scale providing a more efficient use of taxpayer dollars. The rollout of the County's Data Strategy, including staffing and program development, will be iterative over the coming years.



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## COMMUNITY ENGAGEMENT

**Strategic Community Engagement Plan.** As of the date of this report, the County is in the process of developing a strategic community engagement plan in connection with Phase II.

An engagement plan defines a set of specific outreach and participation strategies with assigned roles and a timeline for new or recurring projects that will impact stakeholders and members of the community at the County-wide level.

As it relates to ARPA, it is in the best interest of the County to identify best practices, procedures and a strategic plan to engage and empower stakeholders. This will foster meaningful conversations and provide key datapoints which will ensure the County realizes the maximum relief and benefits available under its allocation of ARPA aid.

**Identifying Stakeholders.** The County includes a wide range of stakeholders with various sets of interests that have been negatively impacted by COVID-19. For instance, these stakeholders may include:

- Residents,
- Businesses,
- Nonprofits,
- Employees, and
- Students.

For its Phase II approach, the County intends to utilize mechanisms and avenues to facilitate the widest possible participation from these interests.

**Approach.** The County intends to will employ a four-step approach with respect to Phase II outreach. These steps include:

1. **Inform.** Stakeholder engagement and making information available to the public is a critical step in the County's engagement process; it is equally important to ensure that information is clear, simple, and accessible. This will provide stakeholders with the necessary tools to appropriately understand the parameters of ARPA.
2. **Consult.** Obtaining stakeholder feedback is an important second step in the County's engagement process. The County will listen to stakeholders, develop an understanding of their views and values and to provide feedback on their input. This step sets the foundation for the development of long-term ARPA initiatives. Pandemic-related impacts and common themes will be identified for further discussion with stakeholders.

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3. **Collaborate.** The third step is working in partnership with stakeholders to develop prospective strategic ARPA initiatives. Along with stakeholders, the County intends to identify a set of tentative prioritized solutions focused on remediating identified COVID-19 impacts.
4. **Decide.** The final step in the engagement process is the formal approval of ARPA initiatives. In a transparent fashion, the County's ARPA Executive Committee will take responsibility for recommending to the Legislature and County Executive the best, most impactful uses of ARPA funds.

**Stakeholder Communication.** To maximize participation, all ARPA communication materials will be clear and stated in simple language.

**Values in Promoting Equitable Engagement Strategies.** For Phase II engagement, the County intends to:

- Identify and involve stakeholders negatively impacted by COVID-19;
- Identify and surmount barriers to engagement;
- Utilize various methods of engagement;
- Ensure adequate, relevant information is communicated and available, and;
- Provide results and feedback relating to engagement.

**Shared Services Opportunities.** There are numerous laws authorizing collaboration between jurisdictions and this is generally considered to be a best practice by most industry associations. To meet these best practices, for Phase II, the County will consider regional initiatives, including, as applicable, partnering agencies with other ARPA recipients to leverage impact.

## **LABOR PRACTICES**

Albany County firmly believes that strong labor standards promote effective and efficient delivery of high-quality infrastructure projects while also supporting economic recovery through strong employment opportunities for workers. The County has an extensive “Minority Business Utilization and Contract Compliance” policy as part of its “Equal Employment Opportunity/Affirmative Action Plan.” The purpose of this policy is to promote and ensure equal opportunity for socially and economically disadvantaged businesses who would like to contract with Albany County. For all contracts exceeding \$100,000.00 in value for goods, services or construction, contractors are required to make good faith efforts to utilize at least seven percent for Minority Business Enterprises (MBE’s) and five percent (5%) for Women Business Enterprises (WBE’s) of the dollar value of the prime contract for subsequent subcontracts awarded to small businesses certified as disadvantaged business enterprises. Albany County’s Division of Affirmative Action monitors subcontracting and labor participation for contracts let by agencies and authorities of Albany County.

Separately, as stipulated in all awards and contracts, any laborers providing services under a contract with Albany County will not be paid less than the current prevailing rate of wages and shall be provided supplements not less than the prevailing supplements as established by the New York State Department of Labor, per the New York State Prevailing Schedule of Wages. Any Project Labor Agreements are project-specific and are authorized by the County Legislature.

## **USE OF EVIDENCE**

As indicated, the County is still in the process of commencing efforts to develop its Phase II spending plans. Under Phase I, the County used revenue replacement funds to maintain provision of essential government services.

For Phase II, the County intends to evaluate economic data; reviewing County department and capital needs and commence stakeholder engagement efforts. The County intends to generally follow the below process to gather information and consider program or project proposals:

- A list of prospective projects and proposals that meet the County’s goals and objectives for its ARPA allocation shall be initially developed and then maintained by the County.
- All prospective projects and proposals shall undergo a comprehensive vetting process by the County to ensure that proposals meet regulations defined by U.S. Treasury i.e. projects shall conform to one of the following categories:
  1. Replace lost public sector revenue to strengthen support for vital public services and to develop long-term structurally sound financial operations.
  2. Support the County’s response effort to the COVID-19 pandemic to continue to decrease the spread of the virus and bring the pandemic under control.
  3. Provide support and immediate economic stabilization for households and businesses.
  4. Address systemic public health and economic challenges that have contributed to the inequitable impacts of the pandemic.
- The County intends to prioritize projects and proposals and determine whether such projects and proposals are feasible for further consideration.

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- Prioritized projects are intended to be categorized by the County to fit within three tiers, as detailed below: <sup>(1)</sup>

Tier	Fiscal Impact	Community Impact
1	<ul style="list-style-type: none"> <li>• Mature: design specs/drawings or proven program concepts and delivery.</li> <li>• Time to start : &lt;6-12mo.</li> <li>• Creates revenue or efficiencies.</li> <li>• Combines with multiple other sources of funds.</li> <li>• No fiscal out-year tail or funds only for contractual/agreed proof of concept period</li> </ul>	<ul style="list-style-type: none"> <li>• Positively impacts majority of citizens; possibly stakeholders</li> <li>• Positively impacts multiple stakeholder communities (e.g., businesses and citizens).</li> <li>• Prioritizes health, safety, community development.</li> </ul>
2	<ul style="list-style-type: none"> <li>• Less Mature project initiative: no or rough drawings/design specs; requires significant programmatic experimentation.</li> <li>• Time to start: &gt;12mo.</li> <li>• Limited or no revenue or efficiencies created.</li> <li>• Limited or no other sources of funds; e.g., ARPA stand-alone project.</li> <li>• Requires out-year funding tails and/or no contractual/agreed to proof of concept period.</li> </ul>	<ul style="list-style-type: none"> <li>• Positively impacts groups of citizens; possibly stakeholders</li> <li>• Positively impacts select stakeholder communities (e.g., businesses and citizens).</li> <li>• Prioritizes fewer attributes of health, safety, community development.</li> </ul>
3	Not Tier 1 or 2	Not Tier 1 or 2

(1) Subject to change and adjustment based on future findings of the County.

- The prioritized list may or may not include specific cost estimates since it is possible that several of the prospective projects will be scalable and require adjustment based on future County recommendations and administrative decisions. If a cost estimate is not provided, the prioritized list is intended to include a cost estimate by range.

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## PERFORMANCE REPORT

As indicated, the County is still in the process of commencing efforts to develop its Phase II spending plans. Under Phase I, the County used revenue replacement funds to maintain provision of essential government services.

Expenditure Category	Cumulative Obligation	Cumulative Expenditure
1. Revenue Replacement	\$29,495,479.50	\$29,495,479.50
2. Broadband Feasibility Study	\$175,000.00	\$0.00
3. ARPA Consultant	\$180,000.00	\$0.00

It is in the best interest of the County to identify best practices, procedures and a comprehensive strategic plan for ensuring that the County, its residents, businesses and stakeholders realize the maximum relief and benefits available under its allocation of ARPA aid and avoid any possible questioning by the Federal government.

**Plan Progression.** This Recovery Plan and the County’s performance measuring efforts will be a living document and process. It will continue to evolve as the County monitors the ongoing use of ARPA funds and as additional Federal actions or other possible funding sources that could shift the demands on the ARPA funding come into focus. The County intends to reassess, amend, and pivot plans in case of unanticipated needs, unforeseen setbacks, or weak outcomes.

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## PROJECT INVENTORY

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### I. REVENUE REPLACEMENT

**Project Identification Number:** 1.0

**Project Expenditure Category:** 6 - Revenue Replacement

**Project Sub-Category:** 6.1 - Provision of Government Services

**Obligated Funding:** \$29,495,479.50

**Funds Spent to Date:** \$29,495,479.50 <sup>(1)</sup>

(1) As of June 30, 2022

#### **Project Overview:**

Based on a year-over-year analysis and using the growth factors allowable per Treasury guidelines, the County's calculated revenue loss is \$29,495,479.50. Such funds were utilized by the County to ensure continuity of vital government services, including but not limited to:

- Salary and fringe for the continuation of routine services, e.g., public safety, public health, social services, recreation, roads/highways, etc.;
- Salary and fringe for additional or enhanced services developed in response to the COVID-19 pandemic, e.g., contact tracing, vaccination, testing, public education, etc.; and
- Programmatic and contractual expenditures for the continuation of routine services as well as novel, just-in-time enhanced services developed in response to COVID-19.

#### **Use of Evidence:**

No ARPA funds are being used for evidence-based interventions. The Category/Sub-Category above referenced does not require the Use of Evidence.

#### **Performance Report:**

**Output:** The County continues to provide residents with vital governmental services without interruption.

**Outcome:** Ensure the health and wellbeing of all County stakeholders is preserved and safeguarded.

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## **II. CONNECT ALBANY BROADBAND INITIATIVE FEASIBILITY STUDY**

**Project Identification Number:** ED-BB-Study

**Project Expenditure Category:** 7-Administrative

**Project Sub-Category:** 7.1-Administrative Expenses

**Obligated Funding:** \$175,000.00

**Funds Spent to Date:** \$0.00 <sup>(1)</sup>

(1) As of June 30, 2022

### **Project Overview:**

The County has commissioned a gap analysis and feasibility study to expand high speed internet in the County. Access to high-speed broadband internet is a necessity for the County's economy and quality of life as has been made even more apparent by the COVID-19 pandemic. The intent of the County's efforts relative to broadband are to:

1. Increase access to high-speed broadband internet for all residents; and
2. Increase competition within the residential and commercial broadband industry.

After a thorough RFP process, the County contracted with Insight Public Sector and Tilson Technology to complete the study. The study will include the identification/quantifications of broadband service availability, accessibility, affordability and related service gaps in Albany County's urban, rural and suburban sectors. Albany County anticipates the study will be completed by Q2 2023. The County, as well as the Insight and Tilson teams, are working closely with New York State and their contractor to ensure that our work is complementary (and not duplicative) of the work that is being done at the state level. Although disparate from the feasibility study, Albany County is hopeful that construction on "last mile" projects will begin shortly after completion of the feasibility study, and will be operable by the end of 2024. Upon completing the study, Albany County will have an actionable solution or suite of solutions and/or policies that the County can apply for state and federal funding to implement.

### **Use of Evidence:**

No ARPA funds are being used for evidence-based interventions. The Category/Sub-Category above referenced does not require the Use of Evidence.

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**Performance Report:**

Output: The County will procure the services of a qualified firm to conduct a feasibility study assessing the “Connect Albany” Broadband Initiative.

Outcome: The County will be able to address planning for Broadband Projects to be funded with ARPA funds.

### **III. ARPA CONSULTANT**

**Project Identification Number:** ED-ARPA-Consultant

**Project Expenditure Category:** 7-Administrative

**Project Sub-Category:** 7.1-Administrative Expenses

**Obligated Funding:** \$180,000.00

**Funds Spent to Date:** \$0.00<sup>(1)</sup>

(1) As of June 30, 2022

**Project Overview:**

Through a competitive process the County engaged the professional services of an advisor to provide outside consulting services and technical assistance with respect to ARPA plan development, public engagement, reporting and grant compliance and management.

**Use of Evidence:**

No ARPA funds are being used for evidence-based interventions. The Category/Sub-Category above referenced does not require the Use of Evidence.

**Performance Report:**

Output: The County will competitively procure the services of an external ARPA consultant.

Outcome: The external ARPA advisor will help the County to identify the best and most strategic use of its ARPA allocation and to comply with all future reporting requirements.