BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AMENDING
RESOLUTION 2022-0474 AND ITS
SUBSEQUENT AMENDMENT RESOLUTION
2023-0411 WHICH APPROVED FUNDING
ALLOCATIONS FOR THE AMERICAN
RESCUE PLAN (ARP) CATEGORY
BROADBAND: OTHER (5.21) AND
REALLOCATING THOSE FUNDS TO ARP
CATEGORY TRANSFERS TO OTHER UNITS
OF GOVERNMENT (7.2)

RESOLUTION

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing ("County"); and

WHEREAS, pursuant to the provisions of the Revised Code of Washington ("RCW") 36.01.030, the powers of Spokane County ("County") can only be exercised through the Board of County Commissioners of Spokane County, Washington ("Board" or "Board of County Commissioners"); and

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners has the care of County property and the management of County funds and business; and

WHEREAS, on July 19, 2022, under Resolution 2022-0474 the Board awarded $100,000 to Ptera for a broadband development project in a partnership with the City of Medical Lake; and

WHEREAS, pursuant to Resolution 2022-0474, the County allocated ten percent (10%) as de minimus indirect costs as provided in 2 CFR 200.414 for ARP Category 5.21; and

WHEREAS, on March 9, 2023, Ziply Fiber announced it was acquiring Ptera; and

WHEREAS, on June 2, 2023, Ziply Fiber notified the County that they were requesting to terminate their contract; and

WHEREAS, on June 27, 2023, in order to fulfill its financial partnership with the City of Medical Lake, the Board transferred $100,000, via Resolution 2023-0411, to the City of Medical Lake for providing additional broadband services in that community; and

WHEREAS, Resolution 2023-0411 did not address the ten percent (10%) de minimus indirect costs which totaled $260,000 at that time and should have been reduced by $10,000 as a result of shift from category 5.21 to 7.2 for this Medical Lake broadband project; and

WHEREAS, under the 2023 ARP Interim Final Rules there is a new expenditure category entitled Emergency Relief from Natural Disasters; and

WHEREAS, the County and State declared an emergency on August 19, 2023, resulting from the Oregon and Gray Road wildfires, and the Board desires to allocate the $10,000 of
previously allocated indirect costs to expenditure category Emergency Relief from Natural Disasters.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of County Commissioners of Spokane County, Washington pursuant to the provisions of RCW 36.32.120(6) and the ARP guidelines that the Board does hereby:

1. The Board hereby amends Resolution No. 2022-0474 to reduce the ten percent (10%) de minimus indirect costs from $260,000 to $250,000; and

2. The Board hereby allocates $10,000 of previously obligated indirect costs to expenditure category Emergency Relief from Natural Disasters.

3. Each and every recital set forth hereinabove is adopted as Finding in support of this action.

**PASSED AND ADOPTED** this 31st day of October, 2023.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

[Signatures]

Mary E. Kuney, Chair

Josh Kerns, Vice-Chair

Al French, Commissioner

Amber Waldref, Commissioner

ATTEST:

[Signature]
Ginna Vasquez, Clerk of the Board

[Signature]
Chris Jordan, Commissioner
Submit to Clerk of the Board with available supporting materials (Resolutions, Agreements, Presentations, etc.)

AGENDA SHEET

SUBMITTING DEPARTMENT: Office of Financial Assistance
CONTACT PERSON: Jeffrey McMorris, Heather Arnold
PHONE NUMBER: 509-477-2246, 477-7272

CHECK TYPE OF MEETING BELOW:
☒ Regular Legislative Session Agenda

BELOW FOR CLERK'S USE ONLY:

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<td>Majority/Unanimous</td>
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AGENDA TITLE (please provide a reasonably descriptive agenda title for this item): In the matter of amending Resolution 2022-0474 and its subsequent amendment Resolution 2023-0411 which approved funding allocation for the American Rescue Plan (ARP) category Broadband: Other (5.21) and reallocating those funds to ARP category Transfers to Other Units of Government (7.2.)

DESCRIPTIVE SUMMARY (please provide anticipated fiscal and budgetary information & reason for request): This resolution corrects the indirect costs that should have been adjusted in 2023-0411 when funds were shifted from Broadband: Other to Transfers to Other Units of Government. This $10,000 will now be allocated to the category Emergency Relief from Natural Disasters

FISCAL IMPACT (please provide anticipated fiscal and budgetary impact, with amount and source of funds, if applicable): Overall no fiscal impact - fund shift from one category to another

REQUESTED BOARD ACTION (if any): Approve

Other County Departments Impacted - List any other departments that were notified in advance of this agenda item: 10/3

This Item will need to be codified in the Spokane County Code: No