

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 21-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUCKLEY APPROVING AMERICAN RESCUE PLAN ACT FUNDING FOR CORONAVIRUS RELIEF FUND FOR LOCAL GOVERNMENTS AND SETTING FORTH GUIDELINES FOR THE DISTRIBUTION OF CORONAVIRUS RELIEF FUNDS TO THE BUCKLEY COMMUNITY

WHEREAS, COVID-19 is a contagious and potentially deadly virus that has been declared a pandemic event by the World Health Organization; and

WHEREAS, actions to mitigate the spread of COVID-19 have resulted in widespread social and economic disruption throughout the City of Buckley; and

WHEREAS, the City of Buckley was awarded and accepted \$1,413,309 on June 22nd, 2021 from the US Department of Treasury Coronavirus Recovery Fund hereto now referred to as the American Rescue Plan Act (ARPA); and

WHEREAS, the ARPA guidelines which provide for the distribution of the funds provide that payments may only be used to cover costs that: (1) respond to public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality; (2) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers; (3) 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 to the emergency; and (4) to make necessary investments in water, sewer, or broadband infrastructure;

WHEREAS, within the eligible use categories outlined in the Fiscal Recovery Funds provisions of ARPA, State, local, and Tribal governments have flexibility to determine how best to use payments from the Fiscal Recovery Funds to meet the needs of their communities and populations;

WHEREAS, the City Council wishes to appropriate and deploy portions of said funds within the City response and community through four categories of Livable and Healthy Community, a Safe Community, a Vibrant Economy, and Government Excellence. These actions further long-standing City goals and priorities. Are consistent with the fundamental purposes of government and the grant terms and conditions by addressing the welfare of the resident and businesses of the City of Buckley; and the use of these funds in the manners set forth herein are necessary, appropriate and proper under both state and federal law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, AS FOLLOWS:

Section 1. Creation of ARPA Funds Response Programs.

The City Council establishes the following grant programs to provide city and community stabilization programs:

- A. The City Council establishes the Livable & Healthy Community program: how Buckley's infrastructure, programs and environment enhance and improve the livability and health of our community.
- B. The City Council establishes a Safe Community program: how Buckley is a safe city to live, work and play. Ensuring we are prepared to prevent, respond to, and recover from hazards and disasters.
- C. The City Council establishes a Vibrant Economy program: how Buckley supports and provides a healthy, sustainable local economy with a business-friendly culture that attracts investment and supports businesses of all sizes.
- D. The City Council establishes a Government Excellence program: how Buckley delivers high-quality services in an efficient and effective manner to our community, encouraging continuous improvement, and ensuring stewardship of the public resources available.

Section 2. Distribution determination of ARPA Relief Program Funds

- A. Subject to the constraints otherwise set forth in this Resolution, the City Council directs the following sums of those of ARPA (i.e. those funds which are to be received or anticipated to be received via the American Rescue Plan Act), to be allocated to the following programs:

- 1. Livable & Healthy Community Programs
 - a. Residential Utility Assistance Grants - \$30,000
 - b. Neighborhood Matching Fund - \$20,000
 - c. Youth Center & Community Pavilion - \$30,000
 - d. Senior Program Support & Kitchen Equipment - \$60,000
 - e. Affordable Senior Housing – Miller Park Feasibility & RFP - \$15,000
 - f. City of Buckley Arts Commission Grants - \$5,000
 - g. Community Cooling Shelter/Food Bank Air Conditioning – Buckley Hall - \$15,000
 - h. White River Community Outreach: Community Social & Human Services - \$15,000
- 2. Safe Community Programs
 - a. City Response & Recovery Expenditure Recovery from COVID - \$100,000
 - b. City Grants Matching Funds: Public Safety - \$60,000
 - c. Buckley Foothills Trail & Crossing Safety Enhancements - \$40,000
 - d. Patrol Vehicle Replacement - \$50,000
- 3. Vibrant Economy Programs
 - a. Small Business Grants - \$40,000
 - b. Main Street Capacity Grant - Chamber of Commerce - \$10,000
 - c. Main Street Parklets - \$25,000
 - d. City Signage and Wayfinding - \$55,000
 - e. New Business Development: Seed Grants - \$100,000
- 4. Government Excellence Program
 - a. Staff: Part-Time Grant Writer - \$50,000
 - b. City Water Automated Meter Reading System - \$350,000
 - c. City Public Works Facility - \$200,000

5. City of Buckley ARPA Reserve Program
 - a. Funds to be used in future years and programs - \$143,309
- B. Any monies which the Council has directed their use for any of the programs identified in Subsection (A) and any subparts thereof, which have not been committed by December 31, 2023 may be reallocated by the Mayor between the programs identified in this Resolution.

Section 3. Administration of ARPA Relief Programs. The administration of the programs set forth in Section 2 shall be subject to the following parameters and guidelines:

- A. The City Administrator or their designees are authorized to take and execute any additional measures or documents that may be necessary to administer these programs and the interagency agreement authorized in the City Council contract resolution of AB21-059 and to make necessary changes to the administration of these funds which are consistent with the terms and conditions of the US Department of Treasury Coronavirus Recovery Fund, excepting that changes to maximum grant amounts or maximum ARPA program funding outlined in Section 2. amounts shall be approved by the Buckley City Council.
- B. City staff shall develop any application documents to ensure that the process is as simple, streamlined, and easy for the applicant as possible.
- C. The City Administrator will provide an award period ending report to City Council documenting the grant funding, the amount of the funding, the need and remaining grant fund balance.
- D. The City Council makes the express determination that, notwithstanding any provision of the Buckley Municipal Code or internal policy to the contrary, that any such contracts necessary to implement Section 2 of this Resolution are within the scope of the emergency management authority contained within Section 2.96 of the Buckley Municipal Code and/or Resolution 20-08 ("A Resolution Of The City Of Buckley, Washington Declaring And Proclaiming An Emergency Relative To COVID-19") and are not subject to competitive bidding or other similar requirements associated with the City's emergency response.

Section 4. Legislative Findings. To the extent that legislative findings are necessary, the recitals set forth above are hereby adopted as the City Council's legislative findings in support of the funds, policies, expenditures and other actions undertaken pursuant to this Resolution. The Council reserves the right to supplement its findings at a later time, if in its sole discretion, it deems it necessary to do so.

Section 5. Retroactive Ratification of Actions Taken. Any and all actions taken by the City Mayor or City staff related to either the ARPA Funds Response Programs identified in Section 1 or the Assistance Programs outlined in Section 2, Subsection A.2.A herein that occurred prior to the authorization provided in this Resolution are hereby ratified and approved.

Section 6. General Provisions.

- A. This Resolution shall be implemented consistent with applicable law and subject to the availability of funding.

B. This Resolution is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Buckley, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL ON October 12, 2021.

Patricia Johnson
Patricia Johnson, Mayor

ATTEST:

Treva Percival

Treva Percival, City Clerk

APPROVED AS TO FORM:

Phil Olbrechts

Phil Olbrechts, City Attorney

Posted: October 14, 2021