

RESOLUTION 06-01-22-2
RESOLUTION TO SPEND ARPA FUNDS ON
BROADBAND

WHEREAS, the American Rescue Plan Act, H.R. 1319 (ARPA) was signed into law by President Biden in March of 2021,

WHEREAS, ARPA modifies provisions of Title VI of the Social Security Act (42 U.S.C. § 801 et seq.),

WHEREAS, 42 U.S.C. § 803 (b)(2) appropriates \$19,530,000,000 to non-entitlement units of government (NEUs) to mitigate the fiscal effects stemming from the public health emergency with respect to COVID-19,

WHEREAS, A non-entitlement unit of government is defined as “... a ‘city’, as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5))), that is not a metropolitan city.” 42 U.S.C. 5302(a)(5) defines a city as: “... any unit of general local government which is classified as a municipality by the United States Bureau of the Census ...”, which covers all townships in Minnesota,

WHEREAS, Avon Township (the Town) is a non-entitlement unit of government and has requested funds from ARPA,

WHEREAS, 42 U.S.C. § 803 (c) permits NEUs to spend ARPA funds under one of four major categories, which include (A) responses to the COVID-19 Pandemic and its negative economic impacts, (B) providing premium pay to essential employees, (C) for government services to the extent of the reduction in revenue, and (D) investments in water, sewer, and broadband,

WHEREAS, 31 C.F.R. § 35.6(e)(2) allows for any broadband project to provide service to unserved or underserved households and business that is designed to reliably meet symmetrical 100Mbps download and upload speeds, or in cases where not practicable, reliably meet 100 Mbps download and between 20Mbps and 100Mbps upload speed, or scalable to symmetrical 100Mbps download and upload speeds,

WHEREAS, The Town seeks to use ARPA funds on broadband infrastructure investment project,

WHEREAS, is eligible as a broadband project, because it complies with the listed requirements for a broadband project under 31 C.F.R. § 35.6(e)(2),

NOW THEREFORE BE IT RESOLVED, that The Town will use a portion of ARPA funds for a broadband infrastructure investment as allowed by ARPA,

BE IT FINALLY RESOLVED, that this is a cooperative project sponsored by Stearns County, Minnesota.

Adopted by the Avon Township Board of Supervisors this 1st day, in the month of June, in the year 2022.

BY THE TOWN BOARD

Yes No Abstain

Supervisor _____
Richard Bresnahan

Supervisor _____
LeRoy Gondringer

Supervisor _____
Rich Sanoski

ATTEST:

Stephen G. Saupe, Clerk

date