

CITY OF JOHN DAY, COUNTY OF GRANT
STATE OF OREGON

A Resolution Authorizing Application to the)
U.S. Department of Agriculture)
2019 Community Connect Grant)

RESOLUTION NO. 19-806-07

WHEREAS, the City of John Day, Oregon (the "City") is authorized by Oregon Revised Statutes ("ORS") Section 271.390 to enter into financing agreements to finance or refinance real or personal property that the City Council determines is needed, so long as the estimated weighted average life of a financing agreement does not exceed the estimated dollar weighted average life of the real or personal property to be financed or refinanced by such financing agreement; and

WHEREAS, the City is the lead agency and fiduciary agent for the Grant County Digital Network Coalition ("Grant County Digital"), an intergovernmental entity organized pursuant to ORS 190 on April 10, 2018. The purpose of Grant County Digital is to share resources and to deploy and promote broadband connectivity to unserved and underserved residents in Grant County; and

WHEREAS, the City, as lead agency for Grant County Digital, received \$1.836 million from the State of Oregon for the construction of a 70-mile fiber optic broadband network ("the Network") between John Day and Burns, OR; and

WHEREAS, the 2019 USDA Community Connect Grant ("the Grant"), if awarded, will finance a portion of the capital improvement costs for the Network from Burns to Seneca and will connect residents, businesses and critical community facilities within a publicly funded service area ("the PFSA") that begins east of Burns and extends north to Seneca; and

WHEREAS, the City wishes to team with both private and public sector organizations to expand broadband access throughout the community by creating innovative resource sharing and collaboration agreements that benefit all parties;

NOW THEREFORE, the City of John Day resolves as follows:

Section 1. Authorization to Apply. The city council hereby authorizes the City Manager to apply for the Grant for up to \$3 million for Grant-eligible capital improvements.

Section 2. Delegation. The City Manager and the Mayor, or the person designated by either of those individuals (each of whom is referred to herein as a "City Official") is hereby authorized, on behalf of the City and without further action by the City Council, to:

- (1) Negotiate with private sector telecommunications firms and public sector/non-profit agencies for access to Network finance, operations and maintenance resources within the PFSA.
- (2) Negotiate, execute and deliver notes and other financial documents to evidence amounts available for Grant funding commitments.
- (3) Engage the services of municipal advisors, legal counsel, engineers, environmental consultants and any other professionals whose services are desirable for the project.

(4) Execute and deliver any other certificates or documents and take any other actions which the City Official determines are desirable to carry out this Resolution.

Section 3. Security. The City will reserve no less than \$450,000 to meet the 15 percent matching funds requirement under the Grant. This amount is to be reserved from the State appropriation budgeted in the City's Information Technology Fund and is hereby committed to this purpose, along with other capital improvement funds in the IT Fund necessary to complete the project as described in the Grant application. The City is not authorized to levy additional taxes to pay the amounts due under the Grant or for any private party agreements related thereto.

Section 4. Effective Date. This Resolution is effective upon adoption.

Approved and adopted at a regular meeting of the City Council held on this 9th day of April 2019.

Ron Lundbom, Mayor

ATTEST:

Nicholas Green, City Manager