



**Background Paper for Proposed
Resolution**

COUNCIL MEETING DATE: August 22, 2022

TO: President Heather Graham and Members of City Council

CC: Mayor Nicholas A. Gradisar

VIA: Marisa Stoller, City Clerk

FROM: Lori Pinz, Director of Information Technology

SUBJECT: A RESOLUTION AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR A GOVERNMENT SERVICES PROJECT TO RELOCATE AND REPLACE FIBER LINES, AS AUTHORIZED BY SECTION 603(c)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6

SUMMARY:

This Resolution authorizes payment not to exceed \$250,000 from Project CI2113 American Rescue Plan Act for a government services project to relocate and replace fiber lines through the site of the Historic Arkansas Riverwalk Project ("HARP"). This payment is authorized by Section 603 (c)(1)(C) of the American Rescue Plan Act ("ARPA") and U.S. Treasury Final Rule 31 CFR 35.6.

PREVIOUS COUNCIL ACTION:

By Ordinance No. 9931, approved on May 17, 2021, the City Council established Project No. CI2113 and budgeted and appropriated up to \$36.7 million in funds which were expected to be distributed to the City from ARPA for covered costs and eligible expenses to be incurred during the period which began on March 3, 2021, until December 31, 2024 (to be expended by December 31, 2026).

BACKGROUND:

ARPA authorizes a revenue replacement calculation which allows local governments to use a portion of their total ARPA allocation for government services. Under ARPA, the City's lost revenue as a result of the COVID-19 pandemic has been calculated to be \$10 million.

This project will relocate and replace city fiber lines which connect the City's network and radio communication infrastructure used by public safety personnel and the State of

Colorado's digital trunk radio system. The fiber lines run through the middle of the HARP project site and as the HARP channel is expanded, without this proposed relocation, the existing fiber lines will frequently need to be relocated in the future. Such ongoing relocations will cause continued interruptions to the City's network system and radio communications. Relocation of the fiber lines and removal from the HARP expansion area, will reduce future costs for relocation, reduce interruption, and control costs as additional expansions occur.

FINANCIAL IMPLICATIONS:

The attached Resolution authorizes the transfer of up to \$250,000 from Project CI2113 to accomplish the relocation.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Resolution.

STAKEHOLDER PROCESS:

Not applicable to this Resolution.

ALTERNATIVES:

City Council could decide not to authorize payment for the fiber line relocation.

RECOMMENDATION:

Approval of this Resolution.

Attachments:

Proposed Resolution

RESOLUTION NO. 14978

A RESOLUTION AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR A GOVERNMENT SERVICES PROJECT TO RELOCATE AND REPLACE FIBER LINES, AS AUTHORIZED BY SECTION 603(c)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6

WHEREAS, on March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plant Act (hereinafter “ARPA”); and

WHEREAS, on May 10, 2021, the U.S. Treasury issued the Interim Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations (“CFR”); and

WHEREAS, on January 6, 2022, the U.S. Treasury issued, with an effective date of April 1, 2022, the Final Rule to implement ARPA in Title 31, Part 35 of the CFR; and

WHEREAS, under ARPA Section 603 (c)(1)(C) and the Final Rule 31 CFR 35.6 recipients may use Coronavirus Local Fiscal Recovery (“CLFR”) Funds on government services, not to exceed the amount of a Metropolitan City’s revenue replacement calculation; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

Payment in an amount not to exceed \$250,000.00 is hereby authorized from Project CI2113 – American Rescue Plan for the government services project to relocate and replace fiber lines through the site of the Historic Arkansas Riverwalk Project (“HARP”).

SECTION 2.

The officers and staff of the City are authorized to perform any and all acts consistent with this Resolution which are necessary or desirable to implement the

transactions described therein.

SECTION 3.

This Resolution shall become effective immediately upon final passage.

INTRODUCED August 22, 2022

BY: Vicente Martinez Ortega
MEMBER OF CITY COUNCIL

APPROVED: 
PRESIDENT OF CITY COUNCIL

ATTESTED BY: 
CITY CLERK