

RESOLUTION NO. 2019-1149

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AUTHORIZING THE SUBMISSION OF A GRANT TO THE ARIZONA COMMERCE AUTHORITY FOR RURAL BROADBAND DEVELOPMENT.

WHEREAS, in 2019 the Arizona State Legislature adopted Chapter 263, providing \$3,000,000 in onetime funding from the state general fund in fiscal year 2019-20 to the Arizona Commerce Authority for the purpose of providing rural broadband grants; and

WHEREAS, the Arizona Commerce Authority is seeking grant applications from various entities for projects relating to establishing or accelerating enhancement of broadband infrastructure that strengthens the entities' capacity and competitiveness for economic growth, thereby improving economic conditions and quality of life in rural Arizona; and

WHEREAS, the Town of Chino Valley (the "Town") has identified the need to engage experienced consultants to assist the Town with evaluating existing broadband deficiencies and conducting a feasibility study as the starting point for the Town to create a broadband master plan (the "Project"); and

WHEREAS, the grant application requirements include commitment by the Town of at least 10% matching funds for any grant awarded; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desire to authorize (i) the submission of the grant application, (ii) the expenditure of the local match of 10% of the grant amount and (iii) the acceptance and execution of any agreement relating to a resulting grant award.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

SECTION 1. The recitals above are incorporated as if fully set forth herein.

SECTION 2. The Town Council hereby authorizes the submission of the grant application for the Project to the Arizona Department of Commerce.

SECTION 3. The Town Council hereby authorizes (i) the acceptance of any resulting grant award in an amount not to exceed \$50,000 (the "Grant Funds") and (ii) the expenditure of a local match in an amount not to exceed \$5,000.

SECTION 4. The Town Council hereby authorizes the execution of the grant agreement with the Arizona Department of Commerce relating to the acceptance and administration of the Grant Funds, subject to the Town Attorney's review and approval.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 22nd day of October, 2019.



Darryl L. Croft, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld, P.L.C.

I hereby certify the above foregoing Resolution No. 2019-1149 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 22, 2019, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Jami C. Lewis, Town Clerk