

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: November 13, 2020	PREPARED BY: Kathleen Neuman, Associate Engineer
Meeting Date Requested: November 24, 2020	PRESENTED BY: Craig Erdman, County Engineer <i>CBE</i>
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board Time needed: N/A	
SUBJECT: Emergency Loan Agreement with the County Road Administration Board (CRABoard)	
FISCAL IMPACT: The Public Works Department has secured a \$200,000 Emergency Loan through the CRABoard. The term of this loan is 24 months repayment with interest on the amount of the loan to be the monthly rate of return for the Local Government Investment Pool (LGIP) not to exceed three percent. Public Works budget the payments for this loan in both 2021 and 2022 County Roads Fund.	
BACKGROUND: On September 7, 2020, fires occurred in Franklin County which required response by emergency services and the Public Works Department. Said fires required the temporary and long-term closures of County Roads, caused extensive damage to overhead railroad trestles on Burr Canyon Road and Wallace-Walker Road, destroyed the deck of a box culvert and guardrail on Burr Canyon Road. At this time, we have estimated the costs of the response, cleanup and repairs, because of the fires, to be approximately \$1,500,000. Due to the high costs of this event, we do not have the budgetary resources available. Therefore, we have submitted request for financial aid to both the Federal Emergency Management Agency (FEMA) and the County Road Administration Board (CRABoard). CRABoard had responded by offering to the County a \$200,000 emergency funding loan. This loan is required to be repaid within 24 months (with interest). The funds from the loan will be used towards the reconstruction of the Burr Canyon box culvert and possible the purchase of safety barrels to be placed where guardrail was destroyed Therefore, pursuant to RCW 36.01.010 and 36.32.120, we are requesting the Board's consideration to enter into this agreement for a loan of \$200,000 on behalf of the County.	
RECOMMENDATION: Approve attached resolution and execute agreement for the CRABoard's Emergency Loan Program's Project Loan Agreement.	
COORDINATION: This agenda item was prepared under the supervision of Craig Erdman, County Engineer, reviewed by Matt Mahoney, Public Works Director, Keith Johnson, County Administrator, Steve Johnson, CRABoard, and Jennifer Johnson, Civil Prosecuting Attorney whom has concurred with our recommendation.	
ATTACHMENTS: <ol style="list-style-type: none">1. Resolution2. Loan Agreement – 3 originals	
HANDLING / ROUTING: <ol style="list-style-type: none">1. Please return three (3) signed agreements to Kathleen Neuman, Public Works	

I certify the above information is accurate and complete.



Matt Mahoney, Public Works Director

FRANKLIN COUNTY RESOLUTION _____

BEFORE THE BOARD OF COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

***EXECUTING EMERGENCY LOAN PROGRAM PROJECT LOAN AGREEMENT
FOR THE FRANKLIN COUNTY WILDLAND FIRE
BETWEEN FRANKLIN COUNTY AND
COUNTY ROAD ADMINISTRATION BOARD***

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120 the legislative authority of each county is authorized to enter into agreements on behalf of the County and have the care of County property and management of County funds and business; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into attached contract as being in the best interest of Franklin County,

NOW, THEREFORE, BE IT RESOLVED that the attached agreement between Franklin County and the County Road Administrative Board for a loan towards the Franklin County Wildland Fire is hereby approved by the Board.

APPROVED this _____ day of November 2020.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Chair Pro Tem

Member

Attest:

Clerk of the Board

Approved as to Form:



Deputy Prosecuting Attorney, Franklin County

**STATE OF WASHINGTON
COUNTY ROAD ADMINISTRATION BOARD
EMERGENCY LOAN PROGRAM
PROJECT LOAN AGREEMENT**

Submitting County: **Franklin**
Project Number: **ELP2011-01**
Project Description: **Franklin County Wildland Fire Emergency Funding**
CRABoard Approval Date: **October 29, 2020**

TOTAL AMOUNT OF AUTHORIZED FUNDS: **\$200,000**

IN CONSIDERATION of Franklin County Resolution #2020-213 In the Matter of a Resolution Declaring an Emergency Due to Wildland Fire adjacent to and over Burr Canyon Road, and subsequent request for emergency funding, the county hereby agrees that as condition precedent to the loan of any Emergency Loan Program (ELP) funds authorized at any time to the above referenced project, it accepts and will comply with the terms of this agreement, including the terms and conditions set forth in RCW 36.78; the applicable rules and regulations of the CRABoard (WAC 136-500 et.seq.) and all representations made to the CRABoard upon which the loan is based; all of which are familiar to and within the knowledge of the county and are incorporated herein and made a part of this agreement, although not attached.

The county hereby agrees and certifies that:

- (1) It is in compliance with the provisions of WAC ch. 136-500 regarding eligibility for ELP funds. If the county is found not to be in compliance with the provisions of Chapter 500, such non-compliance may be cause for the CRABoard to withdraw or deny the Certificate of Good Practice of that County.
- (2) Contract term is not to exceed 24 months, beginning upon the date of contract execution.
- (3) In the event a project post audit reveals improper expenditures of ELP funds or any failure to meet the terms of this contract or WAC 135-500, the issue will be considered by the CRABoard. The Board may take any action it deems necessary to ensure prompt compliance with the terms of this contract.

IN CONSIDERATION of the promises and performance of the stated conditions by the county, the CRABoard hereby agrees to direct the authorized funds to the County.

This agreement supersedes all prior agreements issued using the project number listed above and shall be valid and binding only if it is signed and returned to the CRABoard office within 30 days of its mailing by the CRABoard.

COUNTY ROAD ADMINISTRATION BOARD:

COUNTY:

By: _____

By: _____

Date: _____

Date: _____



Washington State
County Road Administration Board

2404 Chandler Court SW, Suite 240 Olympia, WA 98502
www.crab.wa.gov 360-753-5989

November 6, 2020

Craig Erdman, PE, County Engineer
Franklin County Public Works
3416 Stearman Ave
Pasco, WA 99301-3776

Dear Craig

Enclosed please find three original unsigned contracts offered to your county for Emergency Loan Program funding requested September 23, 2020. The loan offered in the attached contract is in the amount of \$200,000 as approved by the CRABoard on October 29, 2020.

The term of this loan is twenty-four months as approved by the CRABoard. The county will be invoiced six months from the date of contract execution, and quarterly thereafter until the end of the contract term. If the county pays the principle amount of the loan back within six months of the contract execution date, no interest will be charged. Otherwise, interest will be calculated from the date of contract execution to the date of final payment (interest on the amount of the loan shall be the monthly rate of return for the LGIP not to exceed three percent).

Eligible work allowed to be funded with this loan must be the result of the wildfire disaster event cited in the Franklin County declaration, per WAC 136-500-030. Please provide regular project status updates through the life of the loan.

This contract must be signed by your County Commissioner/County Executive and received in our office no later than **Monday, December 21, 2020** to be valid. Please have your Commission Chair/County Executive sign and date all three originals and **return them unaltered.**

The contracts will then be executed and two of the signed original contracts returned to you for your records.

Please contact Steve Johnson at 360.350.6081 if you have any questions.

Sincerely,


John Koster, Director
County Road Administration Board

Attachments:
Unsigned ELP contract (3 copies)