

**BARNSTABLE COUNTY**  
**In the Year Two Thousand Twenty-Two**  
**Proposed Ordinance 22-04**

Whereas the Barnstable County Home Rule Charter fosters and encourages cooperation between the Assembly of Delegates (Assembly) and the Board of Commissioners (Board) for the effective and orderly administration of County government; and

Whereas Barnstable County is the recipient of \$41,370,811 in grant funds from the United States Department of the Treasury under the American Rescue Plan Act (ARPA), signed on March 3, 2021; and

Whereas on May 25, 2021 Barnstable County received \$20,685,405.50, one-half of the amount awarded; and

Whereas the County expects to receive the second half of the award approximately 12 months after the first half was received. The second half of the allocation is expected to be \$20,685,405.50; and

Whereas, in consideration of the unique nature of the ARPA funds, and without waiving any rights of the Board or Assembly, that as relates to the distribution of the ARPA funds, the Assembly and Board wish to create an efficient process for the administration of ARPA fund; and

Whereas the Assembly and the Board wish to work cooperatively and in an efficient manner to distribute the ARPA funds to the intended recipients for worthwhile projects; and

Whereas the Barnstable County Home Rule Charter also provides for the expenditure of funds received by Barnstable County through action by its Legislative and Executive Branches,

**The Cape Cod regional government, known as Barnstable county, hereby ordains;**

The purpose of this Ordinance is to:

1. Transfer ARPA grant funds received by the County to be used for approved applications from among the 15 towns in Barnstable County as potential grant sub-recipients.
2. Transfer ARPA grant funds received by the County to the Board of Commissioner's Office for the purpose of administering the ARPA grant funds during the grant's performance period of May 25, 2021 through December 31, 2026 as the same may be amended from time to time.

## Section 1.

### **Allocation of County ARPA Funds for Application by Potential Town Sub-Recipients.**

1.a. In recognition of the significant contribution that Barnstable County's 15 towns make to the furtherance of the objectives set forth in American Rescue Plan Act, the sum of \$10,000,000 (Ten Million Dollars) is hereby transferred from County ARPA funds to Fund 8120-5490 GRANTS-ARPA for approved applications by the 15 towns in Barnstable County as potential grant sub-recipients.

1.b. Said funds are to be expended only for purposes and in the ways set forth in the U.S. Department of the Treasury Coronavirus State & Local Fiscal Recovery Funds: Interim and Final Rule (published 1/6/22), or any subsequent directives issued.

1.c. The Barnstable County Board of Commissioners delegates to the Barnstable County Assembly of Delegates the decision of how to divide this funding amount (\$10,000,000) among the 15 towns in Barnstable County. The Assembly shall determine the allocation within 31 days of the passage of this ordinance. Should the Assembly not do so, then the Board of Commissioners shall determine the amounts allocated to each of the towns. The Board of Commissioners will make every effort to finalize this allocation decision in a timely manner.

1.d. All applications for funding must be made through the online Barnstable County ARPA Application Portal ([arpa.barnstablecounty.org](https://arpa.barnstablecounty.org)). The Portal is expected to be opened in March 2022.

## Section 2.

### **Allocation of County ARPA Funds for Administrative Expenses.**

2.a. The management and administration of the County ARPA grant funds and processes shall be administered by and take place within the Barnstable County Commissioners Office for the 5.5 year period of performance (May 25, 2021 through December 31, 2026), as the same may be amended from time to time. The U.S. Treasury allows ARPA recipients to charge a de minimis rate of 10 percent (10%) of the modified total direct costs of the grant amount for administrative expenses. 1 The Commissioner's Office seeks at this time an administrative percentage of 4.065% of the modified total direct costs of the grant amount, or \$1,681,579.

As introduced by the Board of Regional Commissioners at the of the Assembly of Delegates regular meeting on March 2, 2022 pursuant to Barnstable County Home Rule Charter Section 2-8(e).