

RESOLUTION NO. R2020-18

A RESOLUTION OF THE CITY OF BURNET APPROVING AN ECONOMIC STIMULUS PROGRAM PROVIDING BUSINESS COMMERCIAL CUSTOMERS PUBLIC UTILITY PAYMENT ASSISTANCE.

WHEREAS, Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code authorizes a local government to establish and provide for the administration of one or more programs, for making loans and grants and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality; and

WHEREAS, as a result of the COVID-19 pandemic and the governor's shelter in place orders made in response thereto, businesses within the City has suffered significant revenue loss; and

WHEREAS, due to the unexpected revenue loss, many businesses within the City are struggling to make payroll and pay monthly business expenses; and

WHEREAS, City Council desires to adopted a program to stimulate business and commercial activity within the city limits by providing struggling businesses with utility payment assistance.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

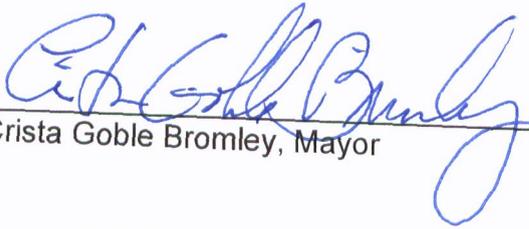
Section two. Program established. The Commercial Customers Public Utility Payment Assistance Program is hereby established and shall operate in accordance with the provisions of **Exhibit "A"** attached to this Resolution.

Section three. Authorization. The City Manager is authorized to manage all aspects of the program; and, is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution.

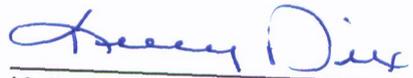
Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

Section five. Effective Date. This resolution shall take effect upon approval and adoption by City Council.

APPROVED AND ADOPTED on this the 2nd day of June, 2020.


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

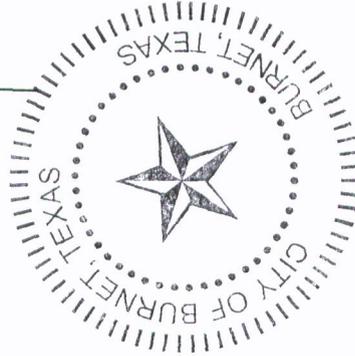


Exhibit "A" (ONE MONTH OPTION)

Commercial Customers Public Utility Payment Assistance Program

- (1) Short Title. This Program may be referred to as the Commercial Customers Public Utility Payment Assistance Program or the "Program".
- (2) Purpose. This Program is established by resolution of the City Council in response to the adverse economic impact caused by the COVID-19 pandemic. Pursuant to Texas Local Government Code Chapter 380, the City Council is providing businesses with a City of Burnet Commercial Electric Utility Account (must be small or large commercial electric customer) assistance with payment of a portion of their electric, water, sewer, garbage and recycling service charges to promote state or local economic development and to stimulate business and commercial activity in the City of Burnet. It is the City Council's intent that the assistance provided by this Program will promote the retention of local businesses that might otherwise fail due to the loss of income caused by the governor's shelter in place orders and related responses to the COVID-19 pandemic.
- (3) Funding. Grants made under this Program shall be made from an LCRA refund that was deposited in the Electric Fund this fiscal year. The maximum municipal expenditure under this Program shall be \$200,000.00.
- (4) Program Term. The Program shall be instituted for the May 2020 utility billing cycle.
- (5) Grant Eligibility. Grants under this Program shall be available to businesses located within the corporate limits of the City of Burnet that have existing small or large commercial electric utility service account(s) with the City of Burnet. To be eligible for consideration the business owner, or duly authorized representative, must submit a grant application on a form approved by the City Manager. Governmental entities (including entities primarily supported by taxes), schools, churches, utility providers, bulk water sales and apartments (including other similar residential uses) shall not be eligible under this Program. Applicants must not be delinquent on property taxes or any other amounts due to the City of Burnet at the time of filing the application.
- (6) Maximum Grant Amount. Grants shall be in the form of a credit of 50% of a recipient's electric, water, sewer, garbage and recycling services charges incurred on their City of Burnet Utility Account during the Program Term, not to exceed \$7,500.00 per business (not per meter or account). For example, a business entity with multiple locations, accounts or meters would be eligible for a maximum of one grant up to \$7,500.00.

- (7) Grant Distribution. Grants awarded under this Program shall have no cash value and shall be distributed as a credit to grant recipients' City of Burnet utility account(s). The credit shall be applied to the applicants account(s) upon the account holder's payment of their portion due. If the account holder fails to pay their portion due by the disconnect date, as established in Section 110-21 of the Code of Ordinance, the grant shall be null and void. The credits shall never exceed the Maximum Grant Amount authorized under this Program. Any credits unused after the expiration of this Program shall immediately expire.
- (8) Administration. The City Manager is hereby authorized to develop a methodology to effectively institute grant distribution and to develop rules and regulations to efficiently implement this Program.
- (9) Award process.
 - (a) Submission. To be eligible for a grant, a completed application must be delivered to the City Manager by electronic mail.
 - (b) Award Determination. A committee consisting of the City Manager, Assistant City Manager and the Director of Finance shall review the application and determine if an award amount should be credited to each applicant's utility accounts. To receive any grant under this Program, the application must be unanimously approved by the Committee. The committee shall consider the COVID-19 pandemic's effect on each applicant's business and approve grants for those businesses significantly adversely affected by the pandemic and the resulting shelter in place precautions. The committee may request additional information or business records from an applicant, as may be reasonably necessary to make award determinations. Upon making an award determination the committee shall advise the applicant by electronic mail.
 - (c) Appeals. Any applicant who is denied a grant under this Program may appeal to City Council. Such appeal must be in writing and delivered by email to the City Secretary within 10 business days of the date of the committee's determination. The committee's notice of any determination to deny a request shall include notice of the applicant's right to appeal under this subsection and shall provide instructions for delivery of the appeal to the City Secretary.
- (10) Fraud. Any grant recipient later suspected of submitting fraudulent information on a grant application may be subject to a grant revocation hearing by the City Council. Such applicant shall receive notice of, and an opportunity to be heard at, the hearing. At the conclusion of the hearing should a majority of City Council, then sitting, determine the application contained fraudulent information the grant shall be revoked and the grant

amount charged back to the applicant's utility accounts for immediate payment.