

RESOLUTION NO. R2020-26

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

WHEREAS, pursuant to Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code City Council established a program to provide public utility payment assistance to commercial customers; and

WHEREAS, certain local businesses are still experiencing significant revenue loss and/or cost increases due to the COVIT-19 pandemic and the governor's shelter in place orders; and

WHEREAS, City Council desires to extend the adopted 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 amended. The Commercial Customers Public Utility Payment Assistance Program is hereby amended by amending Section (4) in its entirety to read as follows:

(4) Program term. The program shall be instituted for a two-month period beginning in May of 2020 and ending on June 30, 2020. Acceptance of applications for assistance for the May utility bills is closed on June 30, 2020. However, any commercial customer significantly adversely financially impacted by the COVID-19 pandemic may submit an application for Public Utility Payment Assistance for the June billing cycle; provided the application is received and payment of the customer's 50% portion of their utility bill is received on or before July 31, 2020.

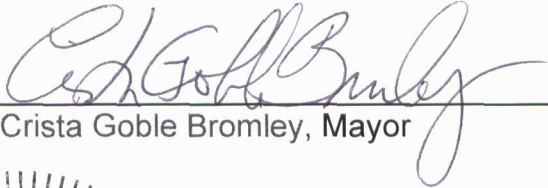
All other terms and conditions of the Commercial Customers Public Utility Payment Assistance Program established by Resolution No. R2020-18, shall remain in full force and effect.

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 July, 2020.


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

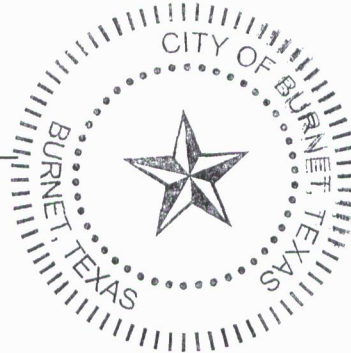


Exhibit "A"

Commercial Customers Public Utility Payment Assistance Program

- (5) Short title. This program may be referred to as the Burnet Utility Payment Assistance Program.
- (6) 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 small and large commercial electricity service customers assistance with payment of their electricity, water, sewer, garbage and recycling services 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.
- (7) Funding. Grants made under this program shall be made from an LCRA reimbursement that was deposited in the general fund this fiscal year. The maximum municipal expenditure shall be **\$300,000.00**.
- (8) Program term. The program shall be instituted for a two-month period beginning in **May of 2020 and ending on June 30, 2020**.
- (9) Grant Eligibility. As this program is authorized under state law, which limits assistance to promote state and local economic development and to stimulate business and commercial activity 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 electricity service accounts 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 provided by the City Manager.
- (10) Maximum Grant Amount. Grants shall be in the form of a credit of 50% of a recipient's electricity, water, sewer, garbage and recycling services charges incurred during the two utility billing cycles occurring during the term of the program. The maximum grant credit amount for any applicant shall not \$7,500.00.
- (11) Grant Distribution. Grants awarded under this program shall have no cash value. Rather grant awards shall be distributed as a credit in grant recipients' utility accounts. 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. The City Manager is

authorized to develop a methodology to effectively institute grant distribution in accordance with the terms of this section.

(12) Award process.

- (a) Submission. To be eligible for a grant a completed application must be delivered to the City Manager by electronic mail, or facsimile.
 - (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. 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 feels aggrieved by his or her award determination may appeal to City Council. An appeal must be in writing and delivered by personal delivery or by mail 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.
- (13) Fraud. Any grant recipient later suspected of submitting fraudulent information on a grant application shall be subject to a grant revocation hearing before 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.