

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF LEON VALLEY COUNCIL, APPROVING A PROGRAM, INCLUDING GRANTS OF PUBLIC MONEY UP TO \$50,000.00 TOTAL TO BE USED FOR AN UTILITY ASSISTANCE PROGRAM LOCATED WITHIN THE CITY OF LEON VALLEY THROUGH THE AMERICAN RESCUE PLAN ACT AND TO BE ADMINISTERED BY LOCAL NON-PROFIT ENTITIES; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, on March 11, 2021, the President of the United States of America signed into law the American Rescue Plan Act (ARPA) which provides fiscal relief funds to State and Local Governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic; and

WHEREAS, approximately \$350 billion of the ARPA funding was allotted to assist the United States' state, local, tribal, and territory governments in responding to the coronavirus pandemic; and

WHEREAS, ARPA includes State and Local Fiscal Recovery Funds to support urgent COVID response efforts to decrease the spread of the virus; to replace lost public sector revenue to strengthen support for vital public services; to support immediate economic stabilization for households and businesses; and to address systemic public health and economic challenges that have contributed to unequal impacts of the pandemic on certain populations; and

WHEREAS, the United States Department of Treasury deposited the City of Leon Valley's first tranche of funds of one million, five hundred twenty-four thousand, six hundred twenty-six and 96/100 Dollars (1,524,626.95); and

WHEREAS, the City Council previously determined that providing financial assistance in an amount not to exceed **Fifty Thousand No/100 Dollars (\$50,000.00)** of American Rescue Plan Act Funds for Utility Assistance located within the City of Leon Valley, Texas, is consistent with the guidance provided by the United States Department of Treasury; and

WHEREAS, the City Council does now find and determine that providing additional financial assistance in an amount not to exceed **Fifty Thousand No/100 Dollars (\$50,000.00)** of funding from the ARPA Fund of the City of Leon Valley to be administered by Non-Profit entities to provide utility assistance services to households in Leon Valley is consistent with the guidance provided by the United States Department of Treasury, serves a public purpose, and is in the best interest of the community.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS AS FOLLOWS:

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the City Council and are fully incorporated into the body of this Resolution.

Section 2. That the City Council does hereby find and determine that the provision of financial assistance not to exceed **Fifty Thousand No/100 Dollars (\$50,000.00)** for Utility Assistance located within the City of Leon Valley, Texas, is necessary to mitigate the financial burden due to Covid-19 and increasing unemployment rates in Leon Valley, which serves a public purpose and is in the best interest of the community.

Section 3. That the City Council approves of the Rules and Administrative Guideline for the Utility Assistance Program for Leon Valley as set forth in the attached Exhibit A and the Performance Agreement as set forth in attached Exhibit B.

Section 4. That the City Council hereby designates the Non-Profit entities that have entered into a Performance Agreement as set forth in the attached Exhibit B, as the administrators of this Utility Assistance Program and delegates the necessary authority to review applications for assistance and negotiate the award of assistance that will comply with and facilitate recovery from economic hardships resulting from the public health emergency.

Section 5. That the disbursement of funds to the Non-Profit entities to administer the Utility Assistance Program on behalf of the City is in accordance with the Texas Local Government Code §252.022(a)(1). The funds provided under this Agreement are being dispersed from the City's American Rescue Plan Act (ARPA) Funds. In the event that any funds provided to Non-Profit entities pursuant to the Utility Assistance Program must be repaid, such funds shall be repaid to the City's American Rescue Act Funds.

Section 6. That no funds provided under this Utility Assistance Program shall be dispersed by Non-Profit entities after December 31, 2023. Non-Profit entities shall return any remaining funds not dispersed before January 31, 2024, to the City's American Rescue Act Funds.

Section 7. That should any Non-Profit entity administrating the Utility Assistance Program fail to comply with the rules and guidelines for the program, or if federal agencies or authorities having jurisdiction over the funding subsequently determine that the funding was used improperly or that a payment was made but later determined to not be actual or allowable costs, Non-Profit will return to the City of Leon Valley the amount identified as improperly used or not allowable.

Section 8. That the City Council authorizes the Mayor to execute this Resolution and any Program Performance Agreements on behalf of the City, as needed, without further approval of the City Council.

Section 9. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 10. That this Resolution shall become effective from and after its passage.

DULY RESOLVED by the City Council of the City of Leon Valley on this the ____ day of January ____, 2023.

MAYOR CHRIS RILEY

ATTEST:

CITY SECRETARY SAUNDRA PASSAILAIGUE

EXHIBIT A

RULES AND ADMINISTRATIVE GUIDELINE FOR A PROGRAM OF THE CITY OF LEON VALLEY PURSUANT TO THE AMERICAN RESCUE PLAN ACT AND PROVIDE FOR THE ADMINISTRATION OF A PROGRAM, INCLUDING GRANTS OF PUBLIC MONEY UP TO \$50,000.00 TOTAL TO BE USED FOR UTILITY ASSISTANCE LOCATED WITHIN THE CITY OF LEON VALLEY AND TO BE ADMINISTERED BY LOCAL NON-PROFIT ENTITIES

Utility Assistance Program

1. The City Council of Leon Valley has established a program for making grants of public money to provide utility assistance to households and residents in Leon Valley in an effort to mitigate the financial burden and continuing effects caused by Covid-19.
2. The City Council of Leon Valley designates Non-Profit Entities to administer the program, and will, if needed, provide personnel and services of the municipality in support of the program.
 - Non-Profit Entities shall only use program funds for “Utility Assistance” which means and includes financial assistance to individuals and families directly impacted by the COVID-19 pandemic.
 - Non-Profit Entities must maintain records to provide accountability for all expenditures of dispersed funds, reporting measures, and funds received from the City. This includes, but is not limited to; records providing that all recipients of funds under this Program are residents of Leon Valley, Texas.
 - Non-Profit Entities shall disperse program funds prior to December 31, 2022. Any funds not dispersed by Non-Profit during the Term must be returned to the City on or before January 14, 2023.
 - Non-Profit Entities must continue to report to the City at the end of each quarter, until all funds are dispersed or the Term has ended.
 - Non-Profit Entities are eligible to recover nominal administrative cost associated with administrating the Utility Assistance Program, as outlined in the Performance Agreement.
3. Grants administered under the Utility Assistance Program shall meet the following parameters:
 - Recipients of funds from the utility assistance provided under this Program shall be residents of Leon Valley, Texas.
 - Disbursements and assistance provided under the Utility Assistance Program are directly associated with and are necessary expenditures incurred as a result of partial or complete loss of income.
 - Utilities shall be defined as; Electricity, Natural Gas, Water, Sewer, and Sanitation Services.
 - Total utility assistance grant funds shall not exceed \$750 per household each calendar year.

EXHIBIT B