

RESOLUTION NO. R-2020-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING A CARES ACT FUNDING AGREEMENT WITH THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, ATTACHED AS EXHIBIT A, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SIX THOUSAND DOLLARS (\$126,000); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop received an allocation of \$506,605 from the State of Texas from the Coronavirus Relief Fund; and

WHEREAS, this funding allowed for 25% of the allocated amount be used for expenses associated with the provision of economic support in connection with the COVID-19 public health emergency; and

WHEREAS, BEDC provided five hundred seventy-six thousand dollars (\$576,000.00) in COVID-19 Relief Grants to one hundred and twenty-one (121) local businesses in and around the City of Bastrop. The purpose of these awards was to help businesses stay in operation, survive the pandemic, and continue to employ people in the Bastrop area; and

WHEREAS, the City Council of the City of Bastrop, Texas finds it to be in the public interest, and necessary for the public health, safety and welfare to award to the BEDC the total amount not to exceed One Hundred Twenty-Six Thousand Dollars (\$126,000) representing a portion of the federal Coronavirus Relief Funds the city was allocated, as a partial reimbursement for the cost of the COVID-19 relief grants.

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

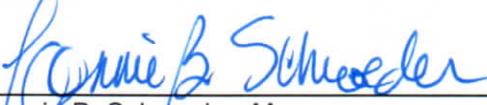
Section 1: The City hereby approves the CARES Act Funding Agreement, as attached as Exhibit A, and authorizes the City Manager to take all necessary actions to execute the Agreement and any necessary subsequent documents to effectuate the performance of the Resolution.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

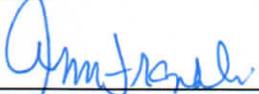
DULY RESOLVED AND APPROVED by the City Council of the City of Bastrop, Texas this 8th day of December 2020.

APPROVED:



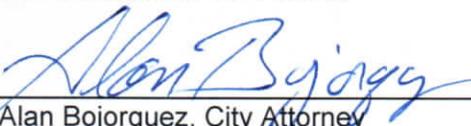
Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney



CARES ACT FUNDING AGREEMENT

This CARES Act Funding Agreement ("Agreement") is made by and between the **City of Bastrop, Texas**, ("City"), and the **Bastrop Economic Development Corporation** ("BEDC"). The City and BEDC are also referred to collectively in this Agreement as the "Parties" and singularly as a "Party."

NOW, IN CONSIDERATION of the mutual covenants to be performed by the Parties and other valuable consideration hereby acknowledged, therefore, be it mutually agreed as follows:

1. SCOPE OF SERVICES

BEDC provided five hundred seventy-six thousand dollars (\$576,000.00) in COVID-19 Relief Grants to one hundred and twenty-one (121) local businesses in and around the City of Bastrop. The purpose of these awards was to help businesses stay in operation, survive the pandemic, and continue to employ people in the Bastrop area. The grants emphasized the retention and training of employees during the pandemic and national disaster, as approved by the BEDC Board of Directors in the resolutions referenced as *Exhibit "A"*.

2. FUNDING

- A. Amount.** The City shall provide to BEDC grant funds in an amount up to a sum not to exceed one hundred twenty-six thousand dollars (\$126,000.00)
- B. Disbursement.** The City shall remit payment to the BEDC of the funds due as a lump sum payable in-full within thirty (30) days of the Effective Date of this Agreement.

3. ACCOUNTABILITY

- A. Written Reports.** BEDC has already submitted to the City's Finance Department three spreadsheets describing which local businesses received COVID-19 Relief Grants in each of the three rounds. The City shall keep these records and may request additional records if required by the state and federal government.
- B. Accounting Practices.** BEDC already utilizes the City Finance Department as it's accountant and bookkeeper who practices generally accepted bookkeeping and

standard accounting practices to maintain complete and accurate financial records of all expenditures of grant funds.

- C. **Records Retention.** All reports and records related to grant funds shall be maintained by the BEDC in accordance with the BEDC's record retention policy.

4. GENERAL PROVISIONS

- A. **Governing Law & Venue.** This Agreement shall be subject to the laws of the State of Texas and the City of Bastrop, Texas. Venue for any disputes arising under this Agreement shall rest solely in Bastrop County.
- B. **Inclusiveness.** This document represents the entire understanding between the Parties. This Agreement may only be amended in writing with the mutual consent of the Parties.
- C. **Severability.** If any sentence, clause or portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.
- D. **Effective Date.** The City and the BEDC make and execute this Agreement to be effective upon the date of final execution by both parties.

<Signature Page to Follow>

IN WITNESS, WHEREOF:

CITY:

by: 
Paul Hofmann, City Manager
City of Bastrop
Date of Execution: November __, 2020

ATTEST:

by: *Ann Franklin*
Ann Franklin, City Secretary
City of Bastrop

BEDC:

by: 
Cameron Cox, Chief Executive Officer
Bastrop Economic Development Corporation
Date of Execution: November 17, 2020

ATTEST:

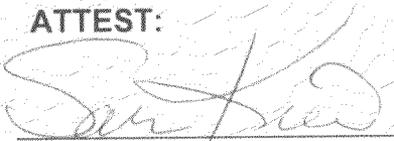
by: 
Sam Kier, Board Secretary
Bastrop Economic Development Corporation

Exhibit "A"

COVID-19 Relief Grants

(BEDC Resolutions, April 13, 2020 – August 27, 2020)