



## **NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF BURNET**

Notice is hereby given that a **Special City Council Meeting** will be held by the governing body of the City of Burnet on the **2<sup>nd</sup> day of June, 2020** at **3:00 p.m.** in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, Tx. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A Zoom Webinar with toll free conference call capability has been established for access as follows:

**Computer:** Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84459841726?pwd=dys1M2pxUTZBejJxY3RhYTF6U1ZiUT09>

**OR: Go to: [www.zoom.us](http://www.zoom.us)**

**Enter Webinar ID when prompted: 844 5984 1726 #**

**Enter Password when prompted: 224477 #**

If you would like to address the Council with a Public Comment while logged-in online, please use the “raise your hand” feature.

**By Telephone Call: 888-475-4499 or 877-853-5257 (Toll Free Numbers)**

**Enter Webinar ID when prompted: 844 5984 1726 #**

**Enter Password when prompted: 224477 #**

If you would like to address the Council with a Public Comment while dialed in via telephone, please use the “raise your hand” feature, by pressing \*9 while on the phone.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

The following subjects will be discussed, to-wit:

**CALL TO ORDER:**

**ROLL CALL:**

**1. CONSENT AGENDA ITEMS:**

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent*

*agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

1.1) Approval of the May 26<sup>th</sup>, 2020 Special City Council Meeting Minutes

## **2. ACTION ITEMS:**

2.1) Discuss and consider action: Direction to staff and authorization for the City Manager to execute processes/plans due to the COVID-19 response: D. Vaughn

2.2) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET APPROVING AN ECONOMIC STIMULUS PROGRAM PROVIDING BUSINESS COMMERCIAL CUSTOMERS PUBLIC UTILITY PAYMENT ASSISTANCE: D. Vaughn

## **3. REPORTS:** None.

3.1) Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

## **4. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:**

## **5. ADJOURN:**

Dated this 29<sup>th</sup>, day, of May, 2020

**CITY OF BURNET**

**CRISTA GOBLE BROMLEY, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on May 29<sup>th</sup>, 2020, at or before 3 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

---

Kelly Dix, City Secretary

### **NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

*The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

### **RIGHT TO ENTER INTO EXECUTIVE SESSION:**

*The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).*

STATE OF TEXAS            {}  
COUNTY OF BURNET       {}  
CITY OF BURNET           {}

On this the 26<sup>th</sup> day of May, 2020, the City Council of the City of Burnet, TX convened in Regular Session, at 3:00 p.m., at the regular meeting place thereof. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers were closed to public attendance. A toll free conference line was established for access via Zoom by calling 888-475-4499 Pin 528904; the following subjects were discussed, to-wit:

Mayor (present in chambers)	Crista Goble Bromley
Council Members (via Zoom call):	Danny Lester, Paul Farmer, Cindia Talamantez, Mary Jane Shanes, Philip Thurman, Tres Clinton
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Mark Ingram, Habib Erkan, Adrienne Field, Jason Lutz (present in Chambers) Gene Courtney, Jason Davis, Alex Copeland, Joyce Laudenschlager, James Wilson, Toshia Lowe, Kelli Sames, Patricia Langford (via Zoom call)

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 3:00 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Mayor Bromley was present in Chambers. Council Member Shanes, Farmer, Talamantez, Lester, Clinton and Thurman called in on the zoom conference. Quorum was established.

CONSENT AGENDA ITEMS:

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

Approval of the May 19<sup>th</sup>, 2020 Regular City Council Meeting minutes

Council Member Mary Jane Shanes moved to approve the consent agenda as presented. Council Member Cindia Talamantez seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: Direction to staff and authorization for the City Manager to execute processes/plans due to the COVID-19 response: D. Vaughn: No action taken.

City Manager David Vaughn reported:

- The Burnet Economic Development Corporation has issued an additional \$20,000.00 in Loan Program 3A funding in the past week.
- Staff has been working on a plan to present to Council for utility assistance for commercial businesses.

Council Member Tres Clinton asked Fire Chief Mark Ingram if he felt that we needed to continue with testing at the fairgrounds. Chief Ingram reported to all present that the testing days have been to capacity and are extremely helpful in tracking the local effect of the pandemic on the community. Seton Hospital staff are present to assist with testing and have expressed their appreciation for the local tracking of cases.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 – “ZONING,” SECTION 118-20, CHART 1 FOR THE PURPOSE OF REVISING MINIMUM FRONT YARD SETBACKS ESTABLISHED FOR THE LIGHT COMMERCIAL – DISTRICT “C-1”, THE MEDIUM COMMERCIAL – DISTRICT “C-2”, AND THE HEAVY COMMERCIAL – DISTRICT “C-3” FOR THE PURPOSE OF REDUCING THE FRONT YARD SETBACK TO TWENTY FIVE FEET (25’); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: J. Lutz: Council Member Paul Farmer made a

motion to approve the first reading of Ordinance 2020-13 as presented. Council Member Tres Clinton seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. Council Member Mary Jane Shanes voted against. The motion carried with six in favor and one opposed.

Discuss and consider action: FIRST READING OF AN ORDINANCE TO REZONE APPROXIMATELY 0.487 ACRES, LEGALLY DESCRIBED AS LOTS 3-A AND 3-B, BLOCK 24, OF THE PETER KERR PORTION OF THE CITY OF BURNET, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL—DISTRICT “R-1” TO A DESIGNATION OF TOWNHOMES—DISTRICT “R-2A,” AND BEING GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF N. VANDERVEER ST. AND E. POST OAK STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A NON-SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: J. Lutz: Council Member Philip Thurman moved to approve the first reading of Ordinance 2020-14 as presented. Council Member Paul Farmer seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: Rental of a portion of Hangar “D” at Burnet Municipal Airport for a flight school: Council Member Clinton: Council Member Danny Lester made a motion directing Staff to work with Council Member Clinton on a plan for renovation and rental of Hangar D for presentation to Council for approval. Mayor Bromley seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Talamantez and Mayor Bromley all voted in favor. Council Member Clinton abstained. The motion carried with six in favor and one abstention.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 2.14 SUBSTANCE ABUSE OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Mary Jane Shanes made a motion to approve and adopt Resolution R2020-16 as presented. Council Member Philip Thurman seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 4.02 TRAINING AND EVALUATION PERIOD OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Paul Farmer made a motion to approve and adopt Resolution R2020-17 as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET AMENDING THE CODE OF ORDINANCES SECTION 110-136 (ENTITLED “ELECTRIC CONNECTION FEES”) AND SECTION 110-137 (ENTITLED “RESPONSIBILITY FOR CONNECTION OF ELECTRICAL SERVICE”) BY REVISING THE ELECTRIC CONNECTION FEES, ELECTRIC METER INSTALLATION CHARGES, AND ELECTRIC TAP FEES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: G. Courtney: Council Member Danny Lester moved to approve the first reading of Ordinance 2020-15 as presented. Council Member Paul Farmer seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: Direction to staff regarding the creation of a public utility payment assistance program: D. Vaughn: Mayor Bromley made a motion directing Staff to move forward with development of a public utility payment assistance plan. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Thurman, Shanes, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. Council Member Danny Lester was opposed. The motion carried with six in favor and one opposed.

REPORTS: Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

Building Permits Report: J. Lutz: Development Services Director Jason Lutz reviewed all permits filed with the

City and the current status of all projects for the first quarter of the year with Council.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Philip Thurman requested a report on the current street repair list in order of priority and with projected completion dates.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 4:24 p.m., seconded by Council Member Philip Thurman. City Secretary Kelly Dix called a roll vote. Council Members Lester, Shanes, Thurman, Clinton, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

---

Crista Goble Bromley, Mayor

**ATTEST:**

---

Kelly Dix, City Secretary



## Administration

## ITEM 2.2

David Vaughn  
City Manager  
(512)-715-3208  
dvaughn@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** May 26, 2020

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET APPROVING AN ECONOMIC STIMULUS PROGRAM PROVIDING BUSINESS COMMERCIAL CUSTOMERS PUBLIC UTILITY PAYMENT ASSISTANCE: D. Vaughn

**Background:** Due to the financial hardships caused by COVID-19, the City Council previously requested staff to evaluate options to help businesses with utility assistance.

**Information:** Staff has created three different resolutions for Council's consideration, including a one month, two month and three month option. Each resolution includes 50% financial assistance, up to a maximum of \$7,500.

**Fiscal Impact:** Depending on which option the Council chooses, Staff currently estimates the cost could range from as low as \$125,000 to as high as \$475,000.

**Recommendation:** Approve Resolution R2020-18 as presented.

## **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 2<sup>nd</sup> 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 \$\_\_\_\_\_.
- (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 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.

## Exhibit "A" (TWO MONTH OPTION)

### Commercial Customers Public Utility Payment Assistance Program

- (11) Short Title. This Program may be referred to as the Commercial Customers Public Utility Payment Assistance Program or the "Program".
- (12) 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.
- (13) 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 \$\_\_\_\_\_.
- (14) Program Term. The Program shall be instituted for a two-month period for the May 2020 and June 2020 utility billing cycles.
- (15) 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.
- (16) 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.
- (17) 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.

- (18) 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.
- (19) 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 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.
- (20) 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.

## Exhibit "A" (THREE MONTH OPTION)

### Commercial Customers Public Utility Payment Assistance Program

- (21) Short Title. This Program may be referred to as the Commercial Customers Public Utility Payment Assistance Program or the "Program".
- (22) 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.
- (23) 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 \$\_\_\_\_\_.
- (24) Program Term. The Program shall be instituted for a three-month period for the May 2020, June 2020 and July 2020 utility billing cycles.
- (25) 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.
- (26) 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.
- (27) 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.

(28) 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.

(29) 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 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.

(30) 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.