

**CITY OF SEGUIN**

**RESOLUTION NO. \_\_\_\_\_**

**STATE OF TEXAS**

**A RESOLUTION OF THE CITY COUNCIL OF SEGUIN, TEXAS, ESTABLISHING THE SEGUIN STRONG STIMULUS PROGRAM RELATED TO THE RETENTION AND PROMOTION NEW OR EXPANDED BUSINESS DEVELOPMENT IN THE CITY OF SEGUIN; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Seguin, Texas is a Texas home rule municipality with a population of more than 30,000 persons; and

**WHEREAS**, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan, China; and

**WHEREAS**, the novel coronavirus (COVID-19) is contagious and spreads through person-to-person contact, especially in group settings; and

**WHEREAS**, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

**WHEREAS**, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

**WHEREAS**, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020 in response to the spread of COVID-19; and

**WHEREAS**, on March 17, 2020, the Mayor of the City of Seguin, Texas, proclaimed and declared a local state of disaster within the City of Seguin, Texas, to continue in effect through March 24, 2020, in response to the spread of COVID-19, unless continued by the City Council; and

**WHEREAS**, on March 24, 2020, the City Council ratified the Mayor's Proclamation Declaring a Local State of Disaster, by passing an Ordinance that adopted the Proclamation and set forth certain rules regarding social distancing and limitations on business operations as set forth in Executive Order GA-08 issued by the Governor of the State of Texas; and

**WHEREAS**, the Seguin Ordinance on the COVID-19 Emergency terminates concurrently with the Governor's lifting his Declaration of Disaster; and

**WHEREAS**, on May 5, 2020, the City Council passed and approved a Resolution providing for a grant and payment program for local hoteliers with respect to their hotel motel taxes; and

**WHEREAS**, Governor Greg Abbott issued an Executive Order on March 31, 2020 which supersedes local orders by county judges and/or mayors and runs until the end of April 2020; and

**WHEREAS**, the COVID-19 pandemic has caused closures of and limitations on local businesses; and

**WHEREAS**, some local businesses in the City of Seguin currently do not have an on-line presence which would assist them in commercial activity during this state of disaster, and

**WHEREAS**, Chapter 380 of the Texas Local Government Code allows municipalities to establish economic development programs for the administration of programs making loans or grants of public money to promote local businesses and stimulate commercial activity in the municipality; and

**WHEREAS**, the City Council recognizes the economic strain the COVID-19 pandemic is causing its local businesses, and desires to establish a stimulus program to provide limited financial assistance to business within located within the city limits; and

**WHEREAS**, the City finds that this Resolution was passed and approved at a regular, duly noticed meeting of the City Council held in compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Seguin, Texas

**SECTION 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

**SECTION 2: FINDINGS**

The City Council finds:

- (1) Chapter 380 of the Texas Local Government Code authorizes the City to establish local economic development programs.
- (2) Providing small businesses in the City of Seguin with stimulus funds during the COVID-19 pandemic will assist small businesses with job retention, business retention and business development.
- (3) Not providing small business in the City of Seguin with emergency stimulus relief, assistance to establish an on-line presence and promoting the local tourism industry could result in permanent closures of small businesses, a lack of tourism when emergency orders are lifted and a dwindling of employment opportunities within the City of Seguin, Texas for its citizens.

**Section 3. SEGUIN STRONG STIMULUS PROGRAM:** This program will assist small businesses within the City of Seguin during the COVID-19 pandemic by providing limited financial assistance under Chapter 380 of the Texas Local Government Code to businesses severely impacted as a result of the stay at home, work safe orders implemented by Governor Abbott, Guadalupe County and the City of Seguin.

- (1) Businesses eligible to apply for the program are independently owned and operated Seguin businesses that are utility customers of the City having a minimum of 2 employees and a maximum of 75 employees.

(2) Eligible businesses may include, but are not limited to, retail (storefront), food and beverage, barbers, nail salons, spas and other personal care establishments, entertainment venues, and health and wellness establishments.

(3) The following businesses are not eligible to apply for assistance: national chains, regional chains with more than 5 locations within the State of Texas, financial institutions, RV parks, apartment complexes or other property rental, home based businesses, permanently closed businesses, and non-profit organizations including schools and educational institutions.

#### **Section 4. MINIMUM CRITERIA FOR CONSIDERATION**

- (1) Business has 75 Full Time Employee's (FTE's) or less
- (2) Physical and publicly accessible location within the City of Seguin city limits (no home-based businesses)
- (3) Must be a City of Seguin Utility Customer (Electric, Water and/or Wastewater)
- (4) Experienced or projected to experience a decline in revenue as a result of COVID-19 pandemic
- (5) Experienced or projected to experience a decline in employment as a result of the COVID-19 Pandemic
- (6) Meet program technical requirements including ability to provide financial records and other relevant documents to support grant request
- (7) In good standing with the City of Seguin regarding licensing and permits
- (8) Must be registered with the Texas Comptroller's Office as a sales tax revenue generating business for the City of Seguin
- (9) Engaged in activities that are legal under city and state law

#### **Section 5. APPLICATION REVIEW AND ELIGIBLE EXPENSES**

- (1) Application forms may be picked up and returned to either the Main Street Department of the Seguin Economic Development Corporation.
- (2) Applications will be available beginning May 6, 2020, and the first round must be submitted to either of the above addresses by 5:00 p.m. May 13, 2020.
- (3) Applications shall be reviewed by the Seguin Strong Stimulus Program application review team
- (4) Notice of application status should be completed within 3-5 businesses days
- (5) Scoring of applications will be based on factors impacted by the Stay Home/Work Safe Order including, but not limited to:
  - (i) demonstrated higher level of impact
  - (ii) amount of customer contact required by business

- (iii) whether or not business is non-essential
- (iv) reduction in employment
- (v) reduction in revenue

**Section 6. CITY MANAGER AUTHORITY**

The City Manager of the City of Seguin is directed to implement guidelines for the Seguin Strong Stimulus Program and is authorized to make Seguin Strong Stimulus Program grants that comply with the Program requirements.

**Section 7: EFFECTIVE DATE**

This Resolution shall take effect immediately after its passing.

**PASSED, APPROVED AND ADOPTED** on this the 5<sup>th</sup> day of May 2020.

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DON KEIL, MAYOR

ATTEST:

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Naomi Manski  
City Secretary