

**CITY OF BUCKLEY, WASHINGTON**

**RESOLUTION NO. 20-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON APPROVING AN INTERAGENCY AGREEMENT FOR CORONAVIRUS RELIEF FUNDS AND SETTING FORTH GUIDELINES FOR THE DISTRIBUTION OF ADDITIONAL CORONAVIRUS RELIEF FUNDS TO THE BUCKLEY COMMUNITY**

---

WHEREAS, COVID-19 is a contagious and potentially deadly virus that has been declared a pandemic event by the World Health Organization; and

WHEREAS, on March 16<sup>th</sup>, 2020, the City of Buckley declared a state of emergency related to COVID-19; and

WHEREAS, actions taken to mitigate the spread of COVID-19 have resulted in widespread social and economic disruption throughout the City of Buckley; and

WHEREAS, the City of Buckley will receive, on a reimbursement basis from the State Department of Commerce, a second reimbursement in the sum of \$73,275.00 from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and

WHEREAS, the CARES Act and the State guidelines which provide for the distribution of the funds provide that payments may only be used to cover costs that: (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019; (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and (3) were incurred during the period that began on March 1, 2020, and ends on October 31, 2020; and

WHEREAS, the U.S. Department of the Treasury has specifically advised that recipients such as the City of Buckley may use fund payments to provide emergency financial assistance to businesses directly impacted by the COVID-19 public health emergency. This federal guidance affords local governments, such as the City, the discretion to determine what payments are necessary. It adds that “[a] program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance.” Furthermore, “[t]he amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure[.]” The federal guidance goes on to add that businesses “affected by decreased customer demand as a result of the COVID-19 public health emergency,” are eligible for grant programs which benefit small businesses; and

WHEREAS, the COVID-19 crisis has forced governments and local businesses alike to reexamine their long-term planning. On the local government side, both the State of Washington and a number of local governments are implementing cost-containment measures in the way of service cuts and reductions in force. Already, the State has seen record unemployment and a number of Buckley businesses either have closed or are at risk of closing; and

WHEREAS, the U.S. Department of the Treasury has specifically advised that recipients such as the City of Buckley may use fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency. Such guidance extends to payments for “program[s] to assist individuals with payment of overdue or unforeseen financial costs for ... other emergency individual needs.” The City of Buckley further determines that such assistance, in the form of a program to assist individuals with payment of overdue utilities is a necessary expenditure, consistent with the City’s emergency response and appropriate in light of the exigencies of the situation to maintain both housing and essential needs for its residents; and

WHEREAS, the City Council wishes to appropriate and deploy portions of said funds within the City response and community through small business assistance and residential utility assistance as a

result of COVID-19. These actions further long-standing City goals and priorities, are consistent with the fundamental purposes of government by addressing the welfare of the residents of the City of Buckley, and the use of these funds in the manners set forth herein are necessary, appropriate and proper under both state and federal law;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, AS FOLLOWS:**

Section 1. Distribution determination of Coronavirus Relief Funds.

- A. Subject to the constraints otherwise set forth in this Resolution, the City Council directs the following sums of those of Coronavirus Relief Funds (i.e. those funds which are to be received or anticipated to be received via the interagency agreement identified in Section 1 of this Resolution), to be allocated to the following programs:
1. Increase the amount for City Small Business Assistance program from \$18,000 to \$30,000.
  2. Authorize the eligibility of City of Buckley businesses to apply for the utility assistance program as part of the residential allocation. This program and assistance expansion would allow commercial store-front businesses in Buckley to reduce their City of Buckley water, sewer, and storm utility bills associated with COVID-19.
  3. Extend the application dates for City Residential Utility Assistance and City Small Business Assistance programs application period until all allocated funds have been utilized or through October 31, 2020.
  4. Authorize \$5,000 of CRF funding for the City of Buckley Chamber of Commerce to establish and promote local businesses with new signage and marketing of business members.
  5. Authorize \$2,000 of CRF funding for the City of Buckley Food Bank to purchase and install a new refrigerator that will help serve residents in receiving dairy and refrigerator supplies.
  6. Authorize the remaining CARES Act Relief Funds of \$54,275 to be used for reimbursed of City-incurred expenses associated with its COVID-19 response. These funds would serve to offset expenditures in the areas of personal protective equipment for staff and the public, janitorial expenses, disinfectant and operating supplies, and a portion of the salaries associated with individuals tasked with COVID-19 response.

Section 2. Administration of Stabilization Programs. The administration of the programs set forth shall be subject to the following parameters and guidelines:

- A. City staff shall develop any application documents to ensure that the process is as simple, streamlined, and easy for the applicant as possible.
- B. The City Administrator will provide a report to City Council documenting the grant funding, the amount of the funding, the need and remaining grant fund balance.

Section 3. Legislative Findings. To the extent that legislative findings are necessary, the recitals set forth above are hereby adopted as the City Council's legislative findings in support of the funds, policies, expenditures and other actions undertaken pursuant to this Resolution. The Council reserves the right to supplement its findings at a later time, if in its sole discretion, it deems it necessary to do so.

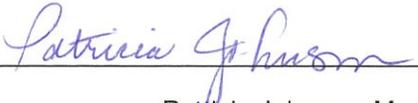
Section 4. Retroactive Ratification of Actions Taken. Any and all actions taken by the City Mayor or City staff related to either the Interagency Agreement identified in Section 1 or the Assistance Programs outlined herein that occurred prior to the authorization provided in this Resolution are hereby ratified and approved.

Section 5. General Provisions.

- A. This Resolution shall be implemented consistent with applicable law and subject to the availability of funding.
- B. This Resolution is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Buckley, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

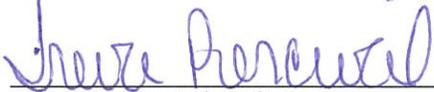
Section 9. Effective Date. This Resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE CITY COUNCIL ON September 22, 2020.**



Patricia Johnson, Mayor

**ATTEST:**



Treva Percival, City Clerk

**APPROVED AS TO FORM:**



Phil Olbrechts, City Attorney

**Posted: September 24, 2020**