

Antonio Araujo
Mayor

Leticia Miranda
Alderson Place 1

David Cantu
Alderson Place 2



Lorenzo E. Leyva Sr.
Alderson Place 3

Irene D. Jaquez
Alderson Place 4

George Almanzar
Alderson Place 5

RESOLUTION NO. 2003R.06

A RESOLUTION APPROVING AN AMENDMENT TO THE INTERLOCAL SUBRECIPIENT GRANT AGREEMENT BETWEEN THE COUNTY OF EL PASO AND THE CITY OF SAN ELIZARIO FOR THE DISTRIBUTION OF FEDERAL CORONAVIRUS RELIEF FUNDS.

RECITALS

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, Chapter 418 of the Government Code governs Emergency Management at state and local levels, and Chapters 418, 121 and 122 of the Texas Health and Safety Code, establishes the powers and authority of local regulation of public health; and

WHEREAS, by order issued on March 13, 2020 the County Judge of the County of El Paso has declared a county state of disaster for El Paso County, Texas; and

WHEREAS, by proclamation issued on March 16, 2020, the Mayor declared a local state of disaster for the City of San Elizario resulting from a public health emergency; and

WHEREAS, by Ordinance No. 2007.01, the City Council of the City of San Elizario renewed and extended the declaration of a local state of disaster for the City of San Elizario resulting from a public health emergency and intends to keep such declaration in effect during the time in which the County's declaration of disaster remains in effect; and

WHEREAS, funding for this Grant Agreement is appropriated under the Coronavirus Aid,

remains in effect; and

WHEREAS, funding for this Grant Agreement is appropriated under the Coronavirus Aid, Relief, and Economic Security Act, 2020 (Public Law 116-136) (“CARES Act”) enacted on March 27, 2020, as amended, to facilitate protective measures for and recovery from the public health emergency in areas affected by COVID-19, which are Presidentially-declared major disaster areas under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

WHEREAS, the CARES Act stipulated that the United States Department of the Treasury would give funding directly to counties with a population greater than 500,000 and COUNTY is in receipt of funds directly from the United States Department of the Treasury as a result of the CARES Act; and

WHEREAS, through this Grant Agreement, COUNTY has provided a mechanism for certain cities located within the borders of El Paso County, Texas to seek reimbursement for certain COVID-19 expenses and expenditures; and

WHEREAS, the parties desire to amend this agreement to eliminate Section 4.03 of the agreement which required the parties to use 75% of their funding on medical related expenses and to change the reporting deadline to December 31, 2020; and

WHEREAS, Texas Government Code Chapter 791 authorizes a local government to contract or agree with another local government on the provision of services, and the City finds that this Interlocal Agreement with the County of El Paso is appropriate and in the best interest of the public.

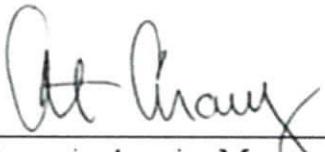
NOW, THEREFORE, BE IT RESOLVED by the City Council of San Elizario, Texas, that:

1. The foregoing Recitals are hereby adopted as facts and are incorporated fully herein.
2. The City Council of the City of San Elizario hereby approves the amendment to *"Interlocal Subrecipient Grant Agreement Between the County of El Paso and the City of San Elizario for the Distribution of Federal Coronavirus Relief Funds"* attached hereto as *Attachment A* and incorporated fully herein.
3. The Mayor is hereby authorized to execute the Amendment to the Agreement on behalf of the City and to execute all required certifications which are part of the Agreement.

4. That the Mayor or his designee are authorized to prepare and submit all documentation required under the Agreement and are further authorized to make all budgetary adjustments related to the receipt of the grant funds as permitted under the City's budget ordinance.
5. This Resolution shall be effective immediately upon passage and approval.

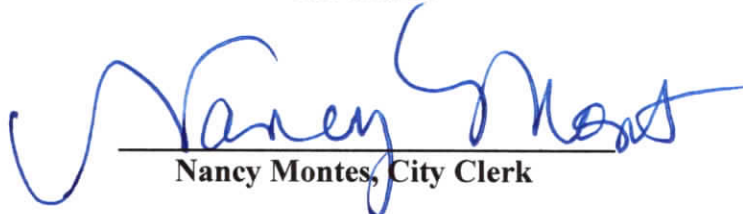
PASSED AND APPROVED this, the 17 day of November, 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS



Antonio Araujo, Mayor

ATTEST:



Nancy Montes, City Clerk

BETWEEN

THE COUNTY OF EL PASO AND
THE CITY OF SAN ELIZARIO, TEXAS:

AMENDMENT TO:
INTERLOCAL SUBRECIPIENT GRANT AGREEMENT
BETWEEN THE COUNTY OF EL PASO AND THE
CITY OF SAN ELIZARIO FOR THE DISTRIBUTION
OF FEDERAL CORONAVIRUS RELIEF FUNDS

Approved November 17, 2020

STATE OF TEXAS § **FIRST AMENDMENT TO INTERLOCAL**
 § **SUBRECIPIENT GRANT AGREEMENT**
COUNTY OF EL PASO § **BETWEEN THE COUNTY OF EL PASO AND**
 § **AND THE CITY OF SAN ELIZARIO FOR THE**
 § **DISTRIBUTION OF FEDERAL CORONAVIRUS**
 § **RELIEF FUNDS**

WITNESSETH

WHEREAS, El Paso County (hereinafter the “County”) and the City of San Elizario, Texas (hereinafter “City”), previously entered into an interlocal agreement (County Contract #2020-0531) (the “Agreement”) for the City to mitigate the financial burden caused by the COVID-19 pandemic and related to eligible incurred expenses for governmental functions and services which qualify under the CARES Act as compensable expenses by the United States Department of the Treasury; and

WHEREAS, the County and the City desire to amend the Agreement to 1) remove the requirement that 75% of grant funds be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency and 2) extend the term of the Agreement to December 30, 2020; and

WHEREAS, Article 14, Section 14.01 of the Agreement provides that any alterations, additions, or deletions to the terms of the Grant Amendment must be documented in writing; and

WHEREAS, regardless of the date signed by the Parties this amendment shall have an effective date of July 1, 2020; and

NOW, THEREFORE, the County and the City, in consideration of the mutual covenants and agreements contained in the Agreement and those set forth herein, do hereby agree to amend the Agreement as follows:

AMENDMENT

ARTICLE 4
CORONAVIRUS RELIEF FUND ELIGIBLE EXPENSES

SECTION 4.03

Section 4.03 of the Agreement shall be deleted and replaced in its entirety by the following:

The City may spend its allocation of Grant funds on any of the categories provided and authorized within U.S. Treasury Guidance.

MODIFICATIONS

The Parties hereby agree that all references to December 1, 2020 in the Agreement shall be changed to December 30, 2020.

The Agreement, except as amended by this First Amendment, remain in effect in all other aspects.

IN WITNESS HEREOF, THE CITY OF SAN ELIZARIO AND EL PASO COUNTY have made and executed this Grant Agreement.

CITY OF SAN ELIZARIO

EL PASO COUNTY

Anthony Araujo
ANTHONY ARAUJO
MAYOR
DATE: 11-17-2020

Ricardo A. Samaniego
RICARDO A. SAMANIEGO
COUNTY JUDGE
DATE: 10/26/2020

ATTEST/SEAL

ATTEST/SEAL

Nancy Mont
City Secretary
Date: 11/17/2020

Delia Briones
Delia Briones
El Paso County Clerk
Date: 10/30/20



APPROVED AS TO LEGAL FORM:
Elaine Hengen
Elaine Hengen
City Attorney

APPROVED AS TO LEGAL FORM
Christina R. Sanchez
Christina R. Sanchez
Assistant County Attorney

APPROVED AS TO CONTENT

Betsy C. Keller
Betsy Keller
El Paso County Chief Administrator