

State of Texas	§	Court Order
Collin County	§	2020-401-05-11
Commissioners Court	§	

An order of the Collin County Commissioners Court adopting a program for direct costs expended by municipalities to address and respond to covid-19 public health emergency.

1. **Purpose.** Collin County (hereinafter “County”) has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (hereinafter “CARES ACT”). Citizens of municipalities located within the County are also citizens of the County. Except for Dallas, no municipalities located in whole or in part in Collin County received CARES ACT funding. The purpose of the program (“Direct Costs Program”) is to assist eligible municipalities within the County with their direct COVID-19 expenditures so that they can continue to be financially ready to address new challenges that may lie ahead as part of the COVID-19 emergency. The financial health of our municipalities is vital to the overall County health and welfare. The creation of this Program is an authorized use of CARES ACT funding. The City of Dallas is not eligible to participate in this program because it has received its own CARES ACT funding.

Eligible Municipalities under this Program are limited to:

Allen	Frisco	Murphy	Richardson
Anna	Lavon	Parker	Wylie
Celina	Lucas	Plano	Royce City
Fairview	McKinney	Princeton	Garland
Farmersville	Melissa	Prosper	Sachse

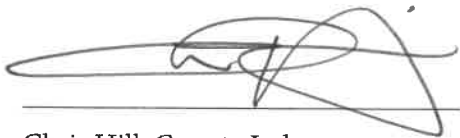
2. **Sole Source of Funding.** The sole source of funding for each eligible municipalities’ allocated share of the Direct Costs Program is the CARES ACT funding received by the County.
3. **Eligible Expenditures.** This Direct Costs Program only covers expenditures made by municipalities between March 1, 2020 and 11:59 PM December 30, 2020. Committing to an expenditure does not qualify. Payment of the expenditure actually has to have been made by 11:59 PM on December 30, 2020; the expenditure must have been or must be for the purpose of addressing or responding to the COVID-19 emergency; and the expenditure must not have already been budgeted for as of March 27, 2020 from municipal funds.
4. **Total Funding.** The County will make a total of \$50,000,000 of CARES ACT funding available for this Direct Costs Program.

5. **Individual Municipal Funding.** The total funding available for the Direct Costs Program will be allocated between each eligible municipality based on its population within the County. Each municipality receiving a share of these funds (“Municipal Funds”) shall deposit them into a special segregated account created by each municipality solely for holding and dispersing the Municipal Funds. This account must be interest-bearing and similarly insured as the municipality’s other funds.
6. **Use of Funds.** Each eligible municipality receiving an allocation under the Direct Costs Program may use their Municipal Funds for reimbursing the municipality for COVID-19 expenditures already paid and incurred, and for expenditures to assist it with the ongoing responses to COVID-19 as detailed in an ILA with the municipality. Examples of eligible COVID-19 post 3/1/2020 expenditures include, but are not limited to, past and ongoing sanitation, COVID-19 testing, past or ongoing acquisitions of personal protective equipment for employees, overtime related to COVID-19, employee time dedicated to fielding and answering COVID-19 calls rather than handling their normal work, self-quarantine expenses for homeless, preparing for the future re-emergence of COVID-19 by purchasing and stocking PPE and sanitation supplies, and other expenditures recoverable by municipalities as described in the U.S. Department of the Treasury’s Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments.
7. **Documentation for all Expenditures.** Each municipality receiving Municipal Funds shall be required to document and justify that each disbursement of Municipal Funds was an eligible expenditure under its ILA with the County and the CARES ACT. All documentation shall be due no later than January 15, 2021.
8. **Reimbursement and Recapture of Ineligible Expenditures.** If the County, or its designee, reasonably determines that a municipality’s expenditure of Municipal Funds is not an eligible expenditure, then the municipality shall immediately reimburse its Municipal Funds with an amount equal to the amount of the ineligible expenditure from other of its funds. The municipality shall have 30 days of receipt of the County’s, or its designee’s, determination of an ineligible expenditure to reimburse the ineligible expenditure to its Municipal Funds. If the County has to enforce its ILA it shall be entitled to recover its reasonable attorney’s fees and costs incurred in doing so. If the municipality’s Municipal Funds account is already closed out, the reimbursement of the ineligible expenditure shall be made directly to the County.
9. **Repayment of Unused Municipal Funds to the County.** If any of a municipality’s Municipal Funds are not expended as provided in its ILA with the County by 11:59 PM December 30, 2020, the municipality shall return the unspent Municipal Funds to the County within thirty (30) days.
10. **Interlocal Agreement.** Prior to receiving, and as a condition to receiving, any Municipal Funds, each municipality must enter into an interlocal cooperation agreement with the County which incorporates the terms of this Direct Costs Program and provides for other matters (“ILA”). If the County, in its sole discretion, determines that a municipality has breached its ILA with the County, then the County may

declare the ILA to be in default, and it may require the return and repayment to the County of the remaining balance of the Municipal Funds, including any reimbursements for ineligible expenditures.

11. **Administration Cost.** Because this funding is for the benefit of the municipalities, the municipalities are not entitled to recovery of administrative costs or fees from their Municipal Funds.

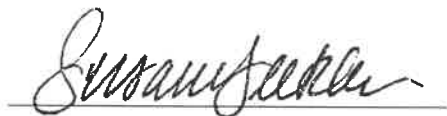
A motion was made, seconded, and carried by a majority of the court members in attendance during a regular session on Monday, May 11, 2020.



Chris Hill, County Judge



Darrell Hale, Commissioner, Pct 3



Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk