

RESOLUTION NO. 20-R-70

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SCHERTZ AND THE COUNTY OF BEXAR FOR THE PURPOSE OF PARTICIPATING IN A CARES ACT 2020 GRANT AGREEMENT TO CIRCULATE WI-FI HOTSPOTS, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Schertz (“City”) and the County of Bexar (“County”) are interested in addressing the issue of digital inclusion and allowing their respective public libraries to partner for the purpose of circulating, distributing and managing wi-fi hotspot devices as a means of internet connectivity; and

WHEREAS, Chapter 791, Texas Government Code, the Interlocal Cooperation Act, is for the purpose of increasing the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state; 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.);

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 received \$79,626,415.00 directly from the United States Department of the Treasury as a result of the CARES Act; and

WHEREAS, COUNTY has allocated a portion of its federal CARES allocation to digital inclusion. Since 2017, COUNTY’s digital public library, BiblioTech, has been circulating portable wi-fi hotspots (“Devices”) as a means of internet connectivity. COUNTY desires to enter into this Agreement with CITY to circulate Devices from the Schertz Public Library. Bexar County would pay for the monthly service charge and activation fees for one (1) year, and the CITY’S library would be responsible for circulation, distribution, and management of the Devices during the Term of this Agreement.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Interlocal Agreement in substantially the form set forth on Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 28th day of July 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A
PUBLIC LIBRARY INTERLOCAL AGREEMENT

See attached