

**TOWN OF LYONS
RESOLUTION NO. 2020-101**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LYONS
AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN
AGREEMENT FOR THE ALLOCATION/SHARING OF CARES ACT FUNDING
THROUGH BOULDER COUNTY**

WHEREAS, on March 27, 2020, the United States Congress adopted the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, Div. A, Title V (the "CARES Act"), which established a \$150 billion Coronavirus Relief Fund (the "Fund");

WHEREAS, pursuant to the CARES Act, the United States Treasury will make payments from the Fund to States;

WHEREAS, on May 18, 2020, Governor Polis signed Executive Order D2020 070, which authorizes the Colorado Department of Local Affairs ("DOLA") to reimburse costs to counties, municipalities and districts for necessary expenditures incurred due to the COVID-19 public health emergency, were not accounted for in the budget most recently approved as of March 2, 2020 (the date of enactment of the CARES Act) for the State, and were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

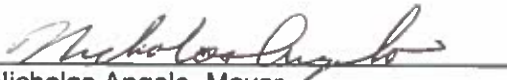
WHEREAS, DOLA has adopted rules for the disbursement of the Fund that require counties and municipalities to collaborate on requested funding and provide agreement documentation including current and projected expenses to establish place markers for the drawdown of the Fund; and

WHEREAS, the Town, Boulder County and the other municipalities within Boulder County have collaborated to document current and project eligible expenses in order to draft initial funding allotments for CARES Act funds.

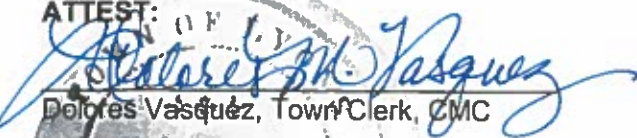
NOW BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO, THAT:

Section 1. The Board of Trustees hereby approves the Agreement with Boulder County and the other municipalities within Boulder County for the allocation/sharing of CARES Act funds in substantially the form attached hereto, subject to approval of the Town Attorney, and upon such approval, authorizes the Town Administrator to execute the Agreement on behalf of the Town.

ADOPTED this 23rd day of June, 2020.


Nicholas Angelo, Mayor

ATTEST:


Dolores Vasquez, Town Clerk, CMC





Board of County Commissioners

June 30, 2020

Mr. Rick M. Garcia, Executive Director
Department of Local Affairs
State of Colorado
1313 Sherman St., Room 521
Denver, CO 80203

RE: Boulder County Collaboration Agreement Related to the Distribution of CARES Act Funds

Dear Executive Director Garcia;

Boulder County and our ten municipal partners want to thank you for your leadership in securing CARES funding for local governments who did not get a direct allocation of funding from the Department of the Treasury.

The COVID-19 worldwide pandemic has required every local government to expend significant effort and funds to protect the community and to slow the spread of COVID-19. Efforts to slow the spread and protect the community as well as recovery efforts are ongoing and will require continued effort and funding. We thank you for appropriating \$27,889,758 of CARES funding to reimburse Boulder County local governments for these unbudgeted expenses.

Luckily, Boulder County and its municipal partners have a successful track record of working collaboratively for the benefit of the community and we have jointly come to agreement as to how to best allocate these funds. We also recognize that it is in the best interest of the Boulder County community to work cooperatively to ensure that the entire Boulder County allocation is applied to the benefit of Boulder County residents rather than allowing the funds to remain unspent and revert to the state-wide reserve fund pool for reallocation elsewhere in the state.

To this end, the Boulder County Collaborative including Boulder County and the municipalities of City of Boulder, Colorado, the City of Lafayette, Colorado, the City of Longmont, Colorado, the City of Louisville, Colorado, the Town of Erie, Colorado, the Town of Jamestown, Colorado, the Town of Lyons, Colorado, the Town of Nederland,

Deb Gardner County Commissioner Elise Jones County Commissioner Matt Jones County Commissioner

Colorado, the Town of Superior, Colorado, and the Town of Ward, Colorado (individually referred to as a “Party” and collectively referred to as the “Parties”) have agreed to the following regarding allocation of the \$27,889,758:

- Each Party is individually responsible for completing all activities necessary to become eligible to receive reimbursement from the CARES Act funds and each Party will keep an appropriate accounting of the expenditure of funds sufficient to meet the needs of the State and their own accounting practices for reimbursement from DOLA.
- Each Party assumes responsibility for ensuring the funds are only used for eligible expenses as determined by DOLA under the CARES Act criteria.
- Each Party will assume responsibility for initially covering their own costs and will apply individually for reimbursement from DOLA.
- All Parties may seek partners on projects eligible for CARES reimbursement from among the other Parties to this agreement, and the Parties may decide to participate in county-wide programs that meet the eligibility requirements for CARES funding. No Party is under any obligation to participate in any such partnership.
- Boulder County will receive 55% of the funding to cover both county-wide COVID-19 expenses and expenses that are specific to the Boulder County local government organization.
- The remaining 45% will be allocated among Boulder County’s ten municipalities based on the 2018 population estimate provided by the Colorado State Demography Office to cover COVID-19 costs specific to their organizations.
- Further, the Parties agree to work collaboratively to reallocate any Parties’ unspent funds to either the County or other municipalities within the county prior to reverting any the \$27,889,758 back to the state-wide reserve pool.

The specific allocation of funds is included as Exhibit A to this letter.

The Parties would again like to express their appreciation for this allocation of funds to meet the needs of Boulder County local governments in addressing the COVID-19 pandemic.

BOARD OF COUNTY COMMISSIONERS OF
BOULDER COUNTY, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

County Attorney

CITY OF BOULDER, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

City Attorney

CITY OF LAFAYETTE, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

City Attorney

CITY OF LONGMONT, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

City Attorney

CITY OF LOUISVILLE, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

City Attorney

TOWN OF ERIE, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

Town Attorney

TOWN OF JAMESTOWN, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

Town Attorney

TOWN OF LYONS, COLORADO

By: *Michael J. Jansen*
Title: TOWN ADMINISTRATOR

ATTEST:

Approved as to form:

Town Attorney

TOWN OF NEDERLAND, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

Town Attorney

TOWN OF SUPERIOR, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

Town Attorney

TOWN OF WARD, COLORADO

By: _____

Title: _____

ATTEST:

Approved as to form:

Town Attorney

EXHIBIT A

**Boulder County Collaborative Agreement:
Coronavirus Relief Fund Allocation**

Boulder County CARES ACT Allocation			
Total Allocation			\$27,889,758
Boulder County 55% Allocation			15,339,366
Area	July 2018 Population	% of Total	City Total Share of 55/45 Split
Total municipal share amount	325,480		\$ 12,550,391
Boulder	106,456	37.9%	\$ 4,754,119
Erie (Part)	11,251	4.0%	\$ 502,448
Jamestown	299	0.1%	\$ 13,353
Lafayette	28,950	10.3%	\$ 1,292,851
Longmont (Part)	95,993	34.2%	\$ 4,286,862
Louisville	21,182	7.5%	\$ 945,947
Lyons	2,066	0.7%	\$ 92,264
Nederland	1,552	0.6%	\$ 69,309
Superior (Part)	13,119	4.7%	\$ 585,869
Ward	165	0.1%	\$ 7,369
Subtotal	281,033	100%	\$ 12,550,391

Any allocated funds unspent will be reallocated within the Boulder County Collaborative prior to reverting to the State-wide reserve pool.