

RESOLUTION NO. 3161

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AMENDING RESOLUTION NO. 3110 ESTABLISHING THE BRYAN/COLLEGE STATION JOINT RELIEF FUNDING REVIEW COMMITTEE; ADOPTING THE AMENDMENT TO THE JOINT RELIEF FUNDING REVIEW POLICIES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Home Rule Cities of Bryan and College Station, Texas, receive numerous requests from relief agencies for various types of municipal funding; and

WHEREAS, the City Council of each City desires to appropriate funding in an orderly and compassionate manner and desires to continue the Joint Relief Funding Review Committee for review of outside agencies and public programs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN THAT:

Section 1.

The Bryan/College Station Joint Relief Funding Review Committee shall consist of three (3) representatives from Bryan, Places 1, 2, and 3; and three representatives from College Station, Places 4, 5, and 6. Each place shall be appointed to three-year terms for no more than two consecutive terms.

Section 2.

The Chairperson is selected from among its members on an annual basis;

Section 3.

This Committee shall review all proposals from charitable or any other assistance type agencies, public or private, who provide a program(s) eligible to receive funds from the Community Development Block Grant Funds. Funding for Community Development Block Grant funds shall be granted based on the amended Joint Relief Funding Review Policies, attached hereto as Exhibit A; and,

Section 4.

The Bryan members of the Joint Relief Funding Review Committee, and two City of Bryan staff members appointed by the City Manager shall review all proposals from charitable or any other assistance type agencies, public or private, who provide a program (s) eligible to receive funds from the City that are non-Community Development Block Grant funds for the Outside Service Agency Policy attached hereto as Exhibit B, not including Contract Partner Agencies; and,

This resolution shall amend Resolution No. 3110; and

Section 5.

This resolution shall take effect immediately from and after its passage.

PASSED AND ADOPTED by the Bryan City Council this 24 of June, A.D. 2008.

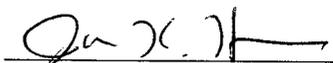
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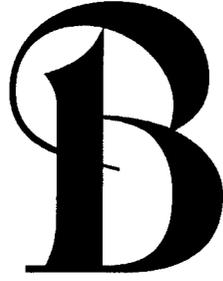
  
\_\_\_\_\_  
MARY LYNNE STRATTA, City Secretary

**APPROVED:**

  
\_\_\_\_\_  
D. MARK CONLEE, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
JANIS K. HAMPTON, City Attorney



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**City of Bryan, Texas**

**Joint Relief Funding Review Committee Policy**

**CDBG Funds**

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# **CITIES OF BRYAN AND COLLEGE STATION JOINT RELIEF FUNDING REVIEW POLICIES**

## **Funding of Public Service Activities**

### **From Community Development Block Grant (CDBG) Funding**

#### **Background**

The Cities of Bryan and College Station receive a yearly allocation through the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program. The Cities have historically used the funds to improve housing, streets, facilities, and utilities in low-income neighborhoods. Since 1986, the Cities have channeled a portion of the funds to sub-recipient non-profit public service agencies.

Activities funded through the Community Development Block Grant must be able to show direct and measurable results. In reporting to HUD on the use of these funds, the Cities must use verifiable statistics relating to ultimate beneficiaries. As a result, funded outside agencies must be able to assemble this information. Similarly, Community Development funds cannot be used to fund sectarian activities, as this would violate the principle of separation of church and state.

#### **Section 1 - Policy Statement**

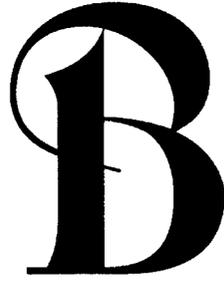
It is the policy of the Cities that:

1. No more than **15%** of the Community Development Block Grant will be allocated annually for public service activities as defined by HUD regulations. Public Service Activities are defined as those activities "including but not limited to those (services) concerned with employment, crime prevention, child care, health, drug abuse, education, energy conservation, welfare or recreational needs". Funds will be directed to activities that will result in providing a new or quantifiable increase in service that will primarily benefit low and moderate income residents. CDBG funds will not be used to maintain an existing level of service or be used to substitute for other available known sources of funding.
2. CDBG funds can be used to pay operating expenses for the specific activity or program identified in the application, including costs for personnel, materials, supplies, tests, fees, rent, utilities, and equipment directly related to delivery of the program or activity as governed by federal regulations. Purchase of equipment is subject to other federal restrictions.
3. Funding for activities which will benefit both College Station and Bryan residents and others outside the jurisdiction of the Cities will generally not be made available unless financial commitment to support the activity is provided by all jurisdictions to benefit.
4. The duration of CDBG funding of operating expenses for any program or activity is intended not to exceed three consecutive years. Agencies should pursue other sources of funding to replace the CDBG funding after this time. However, upon recommendation by the Bryan-College Station Joint Relief Funding Review Committee, CDBG funding beyond three consecutive years may be approved if determined that funding is for essential services.
5. No more than six public service activities or programs per City will be funded annually with CDBG funds. At the discretion of the Joint Relief Funding Review Committee, more or less than six agencies per City may be funded annually.

6. Priority for funding will be to those activities showing capacity to provide quantifiable benefits to the larger number of low income Bryan-College Station residents for each dollar requested, relative to other applications.
7. As a condition of receiving funds the sub-recipient will enter into a standard contract required by the Cities.
8. In addition to financial assistance, the Cities are committed to helping sub-recipients:
  - A. Implement reporting procedures in compliance with HUD requirements.
  - B. Identify sources of financial support other than CDBG, and provide other technical assistance as appropriate.
9. The primary purpose of providing these funds is to pay eligible operating expenses, and can not be provided for the purpose of building up or maintaining an agency's cash reserves.
10. If the City terminates a sub-recipient funding agreement due to agency failure to comply with contract terms or a grantee chooses to terminate the contract for any reason, the affected agency will be barred from applying for CDBG funds for one year from the date of contract termination.
11. Any agency allocated CDBG Public Service funds whose project is not underway by March 1” of the following year, will be ineligible to participate in the current year's funding process.

## **Section 2 -Action**

The Cities of Bryan and College Station will follow their respective Citizen Participation Plans in conformance with all HUD requirements in giving notice annually of anticipated availability and proposed use of CDBG funds. Outside agency funding applications will be evaluated by the Cities' staff for eligibility and appropriateness of funding through CDBG, and then forwarded with written evaluation and recommendations regarding same to the Bryan-College Station Joint Relief Funding Review Committee. Said committee will make recommendations to the City Councils regarding levels of CDBG funding consistent with the above policy.



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**City of Bryan, Texas**

**Outside Service Agency  
Funding Policy**

**Non-CDBG Funds**

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## **Introduction**

This policy incorporates additional direction for funding outside service agencies and programs from City funds, excluding Community Development Block Grant (CDBG) funding. The policy replaces all previous policies adopted by the City except as specifically noted within this policy statement. The proposed policy has been divided into four (4) sections.

**Section 1 – General Policy Statement:** describes the scope of the Outside Service Agency Funding Policy, policy objectives, definition of terms used in the policy, and types of agencies addressed in the policy.

**Section 2 – Public Service Agencies:** addresses public service agencies funded by the City of Bryan from funding sources other than Community Development Block Grant Funds.

**Section 3 – Public Service Agency Application Review Process:** describes the review process for public service agency funding.

**Section 4 – Contract Partner Agencies:** describes agencies that perform specific services on behalf of the City of Bryan. Due to the unique nature of the services provided by the Contract Partner Agencies, they are treated on a separate policy basis from the public service agencies and do not compete for funding with the public service agencies.



## **Section 1**

### **General Policy Statement**

This section describes the scope of the Outside Service Agency Policy, policy objectives, definition of terms used in the policy, and types of agencies addressed in the policy.



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## **1.00 Policy Statement**

It is the policy of the City of Bryan, as adopted by its City Council, to provide funding in the form of grants to non-profit outside service organizations and agencies which are located in Bryan, College Station, or Brazos County which provide specific services and programs that support at least one of the following service objectives of the City:

- 1) Provides a vital social service that is not duplicated by other organizations in the community or region.
- 2) Provides a service or program that is better delivered by a public service agency or organization rather than City government.
- 3) Provides a needed cultural or arts amenity to the public that is not duplicated in the community or region.
- 4) Provides the City government with a specific economic development or tourism benefit which is consistent with the regulations set forth in the Texas Local Government Code.

This policy applies to any outside service organization, agency, program, or activity that operates as a non-profit organization and requests a grant of funds from the City of Bryan to deliver the program, service, or activity to Bryan citizens from funds other than CDBG funds. Agencies that are eligible for CDBG and have not applied for CDBG funds are not eligible for this funding. Agencies that have applied for CDBG funds and received a recommendation for funding are not eligible for this funding. Agencies that are eligible and have applied for CDBG and not received a recommendation for funding are eligible to apply for funding through this process. Not receiving a recommendation for funding for CDBG does not imply an agency will receive funding through the outside agency funding process, if applying.

## **1.01 Policy Objectives**

Public service organizations enrich Bryan as a community and assist the City government in achieving its mission ...*The City of Bryan is committed to providing financially efficient municipal services to improve the quality of life and develop a community where all citizens are proud to live.* Providing funding to public service organizations requires the achievement of public purposes through the statement of fair and equitable policies.

The use of public funds must meet clearly defined standards as mandated by the Texas Constitution, State statutes, and Federal regulations. Those standards demand public funds be spent for public purposes and not for private benefit. This policy establishes a clear standard to provide grants to various Public service organizations that fulfill a public purpose by delivering programs and activities to the citizens of Bryan.

This policy has three (3) objectives:

1. To provide a comprehensive statement of policy for funding public service organizations.



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2. To provide specific guidance to public service organizations to evaluate their eligibility to receive public funds from the City of Bryan.
3. To establish clear guidelines and procedures to be administered by the City Manager and the City Council for use by the appointed review body to evaluate requests for funding from public service organizations.

### **1.02 Public Purpose Test**

The Texas Constitution, State statutes, and Federal regulations establish clear standards for the use of public funds. The standards require cities to spend taxpayer money for public purposes and prohibit the use of public money for private purposes. The application of this mandate, for the purposes of this policy, will be accomplished on the basis that the City will fund those agencies and programs that fully meet the requirements of this policy. Every agency must serve a public purpose by delivering services that the City government could provide itself but chooses to deliver the services through a non-profit entity.

### **1.03 Definitions**

For the purposes of this policy, the following definitions will apply.

*Non Profit.* Refers to 501(c) organizations as defined by the Internal Revenue Service (IRS).

*Program.* Refers to the smallest subpart of an organization or entity.

*Capacity Building.* Systematic efforts by an organization to develop organizational capabilities to raise funds, build leadership and stewardship capacity, and increase service impacts.

*General and Administrative expenses.* Cost of goods and services designed to pay for administrative services, management or general agency costs not directly attributable to the delivery of services to clients.

*Community Impact Statement.* Compilation of data required by this policy that demonstrates the number of Bryan citizens benefiting from the program being considered for funding by the City of Bryan.

### **1.04 Enforcement and Implementation**

The City Manager will ensure this policy is equitably administered. Each agency that receives City funding will be provided a copy of this policy and the necessary guidelines developed to fully implement this policy.

### **1.05 Amendments and Changes**

This policy may be amended by the Bryan City Council.



## **Section 2**

### **Public Service Agencies (Non CDBG)**

This section addresses public service agencies funded by the City of Bryan from city sources other than Community Development Block Grant (CDBG) Funds.



## **2.01 General Eligibility Criteria for Public Service Agencies (non CDBG)**

Public service agencies must meet the following criteria and standards to be eligible for funding.

### **2.01.1 Non-Profit Status**

Public service agencies are required to be 501 (c) organizations as defined by the Internal Revenue Service (IRS) to qualify for funding.

### **2.01.2 Public Purpose**

An agency must demonstrate the program serves a public purpose. The program must be nondiscriminatory and must not provide support or provide service to a private individual or private interest.

### **2.01.3 Funding Request to Other Public Entities**

Agencies are encouraged to submit similar funding requests to the City of College Station and Brazos County, if their primary mission serves Brazos County. When an agency also serves the Brazos Valley region, they are encouraged to submit similar funding requests to other regional entities. Documentation of similar funding requests is to be submitted with the City of Bryan funding application.

### **2.01.4 Single Source Funding Application**

City funding will be provided from one source only. No public service agency will be permitted to be awarded City funding from more than one source of funds during a funding cycle.

Programs which were awarded CDBG funding by the Joint Relief Funding Review Committee (JRFRC) may not apply for other City funding in addition to CDBG funding.

City funding is limited by statutes and regulations for specific purposes. General Funds may be used for programs and activities that meet the public purpose test for the expenditure of public funds.

### **2.01.5 Grant Applications**

All applications for grants from the City must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:

- a. Must demonstrate how the program meets the mission, vision, and values of the City of Bryan.
- b. Must demonstrate the program meets the public purpose test for the expenditure of public funds.



- c. Must demonstrate positive community impacts by submitting a Community Impact Statement.
- d. Must also provide evidence of current request for funding from the City of College Station and Brazos County, if the grant request is represented to serve Brazos County.
- e. Requests for funding ongoing administrative costs will not be considered. Grants to agencies will be awarded for one of two types of expenditures:
  - o Program specific: Must demonstrate the program delivers a specified service or activity that can be segmented and measured for results.
  - o If program funding is awarded, no more than 25% of a program's budget may be used for general and administrative expenses. At least 75% of the Program's budget must be dedicated to program specific activity.
  - o Capital construction: Must demonstrate that the capital construction or expense will assist the agency in better serving the community. 100% of the funding granted by the City must be used for the capital construction or expense. There is no allowance for general and administrative expenses.
- f. Must be submitted in hard copy at the location designated by the City Manager to receive grant applications. Grant applications will not be accepted via electronic transmission.
- g. Must be submitted by the deadline date established. Applications must be complete in all respects upon submittal. Incomplete or late applications will be returned and denied processing for the grant period for which they are submitted.
- h. Will be accepted for the upcoming funding cycle only. The City will not accept grant applications for any future funding period.

#### **2.01.6 Funding Period**

The City of Bryan provides a grant for a one-year period. The City of Bryan is not obligated to fund a program that is approved for any subsequent years. Agencies must apply for program funding each year. In no event will multiple programs or activities be funded from the same agency during the same funding year.

#### **2.02 Agencies Ineligible to Apply for Funding**

##### Non-Local Health/Medical Associated Organizations

Health/medical associated organizations which are supported by their state or national branch will be ineligible to receive funds from any City source of funds. Only health/medical associated organizations founded locally and which have local offices within Brazos County will be eligible to apply for funding.



### **2.03 Public Service Agency Contracts**

All public service agencies that are allocated funds by the City Manager will be required to enter into a contract with the City. Contracts will be approved by the City Attorney and authorized by the City Manager.

### **2.04 Reports and Monitoring**

Quarterly reporting will be required of all public service agencies. Quarterly reports will include quarterly financial statements that describe specifically how the funds from the City of Bryan are being utilized; a narrative describing the program activities of the organization; and service level indicators and/or performance measures (e.g. number of citizens assisted) for each organization. The City will monitor public service agencies to ensure City funds are used in compliance with contract language and to achieve public purposes.

- a. Funding for each agency will be made quarterly.
- b. Continued funding is contingent on the timely submission of required quarterly reports.
- c. Receipts and/or supporting documentation will be required from the agency to document the use of City funds. Copies of receipts from each quarter will be due with the quarterly report. Any discrepancy between the amount of the quarterly payment and the actual cost of the program for the quarter shall be reconciled at the end of the funding year. Any unused grant funds shall be returned to the City.
- d. An annual report will be prepared by all public service agencies for the City Manager review as a part of the budget review process. The annual report will include, at a minimum, agency and program specific information including a narrative on accomplishments, a list of their board of directors, and any programmatic changes with the agency's programs. In addition, at a minimum, financial specific information, including the agency's balance sheet, income statement and funding sources for all programs should be a part of the annual report.
- e. The City will be allowed access to the agency's financial records to allow the City to audit or review the agency's financial records.



### **Section 3**

#### **Public Service Agency**

#### **Application Review Process**

This section describes the review process for Public Service Agency funding applications.



### **3.00 Public Service Agency Application Review Process**

All applications for public funding, except as exempted by this policy, will be presented to the Committee for review. The Committee Chair, in coordination with the City Manager or his designee, will establish the meeting schedule for the purpose of preparing funding recommendations to the City Manager.

### **3.01 Committee Members**

The Committee shall be comprised of the three Bryan members of the Joint Relief Funding Review Committee (“JRFRC”), and two City staff members.

### **3.02 Evaluation Criteria**

The committee will use the following criteria to evaluate applications:

- a. Public purpose: Each program funded by the City of Bryan must meet the purpose test established in this policy.
- b. Community impact: The program must have a substantive impact on the Bryan community consistent with the mission and priorities established by the City Council.
- c. Policy compliance: The Committee will consider both the completeness and timeliness of the application in adherence to the requirements of this policy.

### **3.03 Committee Recommendations**

The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.

### **3.04 Funding Public Service Agency Requests**

The City Manager is required by Charter to develop an annual budget that estimates the revenues and expenses for Bryan city government. The City Manager will prepare an estimate of available funding to support the Council’s Public Service Agency Funding Policy, and will submit the estimate to the City Council for their consideration in funding public service agencies.

### **3.05 Funding Sources**

The City Council may utilize the following sources of funds to provide the Outside Public Service Agency funding.

- The City Council Contingency budget within the General Fund or another source of revenue funds identified and approved by the City Council.



## **Section 4**

### **Contract Partner Agencies**

This section deals with agencies which provide specific services to the City of Bryan. Because of the unique nature of the services provided by the Contract Partner Agencies, they are treated on a separate policy basis than other Public Service Agencies.



#### **4.00 Contract Partner Agencies**

The City of Bryan recognizes there are organizations which provide unique services to the City including economic development, tourism development, marketing, and coordination of cultural arts activities to Bryan citizens, and others. Contract Partner Agencies will be required to follow a distinct and separate annual funding process from all other public service agencies covered by this policy.

Agencies that fit the Contract Partner Agencies category are as follows:

- Research Valley Partnership (Economic Development)
- Downtown Bryan Economic Development Association (Economic Development)
- Convention and Visitors Bureau (Tourism Development and Marketing)
- Arts Council of Brazos Valley (Arts and Culture )
- Brazos County Heath District
- Others as identified by City Council/staff

The City of Bryan also recognizes there are agencies providing programs that directly support City departmental activities. Requests will be solicited by the department from the appropriate agency for review. Division managers and directors will review these requests for appropriateness and determine whether to include the requests in their proposed budget and recommend a funding level. Funding for these agencies will be included in the proposed departmental budgets at the discretion of the City Manager. City Council will determine funding levels for these agencies as part of the departmental budget review process. Agencies funded in departmental budgets will conform to the same requirements of the Contract Partner agencies.

An example of an agency that directly supports City departmental activities is:

- Keep Brazos Beautiful (Solid Waste Fund)
- Brazos Animal Shelter (Solid Waste Fund/General Fund)
- Brazos Valley Community Network (General Fund)
- Emergency 911 District (Police and Fire Departments – General Fund)
- Others as identified by City Council/staff

#### **4.01 Contract Partner Agencies Funding Process**

Contract Partner Agencies will use the following procedures for annual funding requests:

- a) Submit budget requests to the City Manager by the deadline and in the format established by the City Manager.
- b) Agency funding requests will be reviewed during the departmental budget review process and submitted to City Council at the same time all departmental requests are submitted.
- c) The City Manager will provide recommendations on each request from Contract Partner Agencies.



- d) City Council will approve funding levels for each Contract Partner Agency.

#### **4.02 Contract Partner Agencies Contracts**

Contracts will be required for all Contract Partner Agencies who are allocated funds by the City Council. Contracts will be approved by the City Attorney and submitted to City Council for final approval.

#### **4.03 Reports and Monitoring**

Quarterly Reports will be required of all Contract Partner Agencies. Quarterly Reports will include quarterly financial statements that describe specifically how the funds from the City of Bryan are being utilized, a narrative of program activities for the organization, and service levels and performance measures for each organization. The City will monitor Contract Partner Agencies to ensure City funds are used in compliance with contract language and to achieve public purposes.

- a. Funding for each agency will be made quarterly.
- b. Continued funding is contingent on the timely submission of required Quarterly Reports.
- c. Organizations that receive funds from the Hotel Occupancy Tax Fund will meet the requirements of this section and all of the requirements listed in the State law regarding the proper reporting and accounting of Hotel Occupancy Tax funds.
- d. An annual report will be prepared by all Contract Partner Agencies for City Council review as a part of the budget review process.
- e. The City will be allowed access to the agency's financial records to allow the City to audit or review the agency's financial records.



-- CURRENT RESOLUTION --

**RESOLUTION NO. 3110**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AMENDING RESOLUTION NO. 3036 ESTABLISHING THE BRYAN/COLLEGE STATION JOINT RELIEF FUNDING REVIEW COMMITTEE; ADOPTING THE AMENDMENT TO THE JOINT RELIEF FUNDING REVIEW POLICIES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Home Rule Cities of Bryan and College Station, Texas, receive numerous requests from relief agencies for various types of municipal funding; and

WHEREAS, the City Council of each City desires to appropriate funding in an orderly and compassionate manner and desires to continue the Joint Relief Funding Review Committee for review of outside agencies and public programs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN THAT:

Section 1. Part 1

The Bryan/College Station Joint Relief Funding Review Committee shall consist of three (3) representatives from Bryan, Places 1, 2, and 3; and three representatives from College Station, Places 4, 5, and 6. Each place shall be appointed to three-year terms for no more than two consecutive terms.

Section 2.

The Chairperson is selected from among its members on an annual basis;

Section 3.

This Committee shall review all proposals from charitable or any other assistance type agencies, public or private, who provide a program(s) eligible to receive funds from the Community Development Block Grant Funds. Funding for Community Development Block Grant funds shall be granted based on the amended Joint Relief Funding Review Policies, attached hereto as Exhibit A; and,

Section 1. Part 2

The Bryan members of the Joint Relief Funding Review Committee, the Mayor and/or his designee, one other Council member and two City of Bryan staff members shall review all proposals from charitable or any other assistance type agencies, public or private, who provide a program (s) eligible to receive funds from the City that are non-Community Development Block Grant funds for the Outside Service Agency Policy attached hereto as Exhibit B, not including Contract Partner Agencies; and,



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This resolution shall amend Resolution No. 3036; and

Section 4.

This resolution shall take effect immediately from and after its passage.

PASSED AND ADOPTED by the Bryan City Council this \_\_\_\_\_ of \_\_\_\_\_, A.D. 2007.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
MARY LYNNE STRATTA, City Secretary

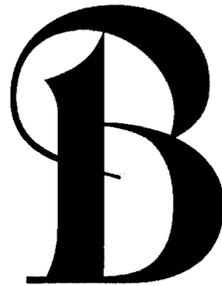
\_\_\_\_\_  
D. MARK CONLEE, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
MICHAEL COSENTINO, City Attorney



**(Current JRFRC CDBG Policy-no changes, part of Resolution 3110)**



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**City of Bryan, Texas**

**Joint Relief Funding Review Committee Policy**

**CDBG Funds**



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## **CITIES OF BRYAN AND COLLEGE STATION JOINT RELIEF FUNDING REVIEW POLICIES**

### **Funding of Public Service Activities**

#### **From Community Development Block Grant (CDBG) Funding**

##### **Background**

The Cities of Bryan and College Station receive a yearly allocation through the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program. The Cities have historically used the funds to improve housing, streets, facilities, and utilities in low-income neighborhoods. Since 1986, the Cities have channeled a portion of the funds to sub-recipient non-profit public service agencies.

Activities funded through the Community Development Block Grant must be able to show direct and measurable results. In reporting to HUD on the use of these funds, the Cities must use verifiable statistics relating to ultimate beneficiaries. As a result, funded outside agencies must be able to assemble this information. Similarly, Community Development funds cannot be used to fund sectarian activities, as this would violate the principle of separation of church and state.

##### **Section 1 - Policy Statement**

It is the policy of the Cities that:

1. No more than **15%** of the Community Development Block Grant will be allocated annually for public service activities as defined by HUD regulations. Public Service Activities are defined as those activities "including but not limited to those (services) concerned with employment, crime prevention, child care, health, drug abuse, education, energy conservation, welfare or recreational needs". Funds will be directed to activities that will result in providing a new or quantifiable increase in service that will primarily benefit low and moderate income residents. CDBG funds will not be used to maintain an existing level of service or be used to substitute for other available known sources of funding.
2. CDBG funds can be used to pay operating expenses for the specific activity or program identified in the application, including costs for personnel, materials, supplies, tests, fees, rent, utilities, and equipment directly related to delivery of the program or activity as governed by federal regulations. Purchase of equipment is subject to other federal restrictions.
3. Funding for activities which will benefit both College Station and Bryan residents and others outside the jurisdiction of the Cities will generally not be made available unless financial commitment to support the activity is provided by all jurisdictions to benefit.



4. The duration of CDBG funding of operating expenses for any program or activity is intended not to exceed three consecutive years. Agencies should pursue other sources of funding to replace the CDBG funding after this time. However, upon recommendation by the Bryan-College Station Joint Relief Funding Review Committee, CDBG funding beyond three consecutive years may be approved if determined that funding is for essential services.
5. No more than six public service activities or programs per City will be funded annually with CDBG funds. At the discretion of the Joint Relief Funding Review Committee, more or less than six agencies per City may be funded annually.
6. Priority for funding will be to those activities showing capacity to provide quantifiable benefits to the larger number of low income Bryan-College Station residents for each dollar requested, relative to other applications.
7. As a condition of receiving funds the sub-recipient will enter into a standard contract required by the Cities.
8. In addition to financial assistance, the Cities are committed to helping sub-recipients:
  - A. Implement reporting procedures in compliance with HUD requirements.
  - C. Identify sources of financial support other than CDBG, and provide other technical assistance as appropriate.
9. The primary purpose of providing these funds is to pay eligible operating expenses, and can not be provided for the purpose of building up or maintaining an agency's cash reserves.
10. If the City terminates a sub-recipient funding agreement due to agency failure to comply with contract terms or a grantee chooses to terminate the contract for any reason, the affected agency will be barred from applying for CDBG funds for one year from the date of contact termination.
11. Any agency allocated CDBG Public Service funds whose project is not underway by March 1<sup>st</sup> of the following year, will be ineligible to participate in the current year's funding process.

## **Section 2 -Action**

The Cities of Bryan and College Station will follow their respective Citizen Participation Plans in conformance with all HUD requirements in giving notice annually of anticipated availability and proposed use of CDBG funds. Outside agency funding applications will be evaluated by the Cities' staff for eligibility and appropriateness of funding through CDBG, and then forwarded with written evaluation and recommendations regarding same to the Bryan-College Station Joint Relief Funding Review Committee. Said committee will make recommendations to the City Councils regarding levels of CDBG funding consistent with the above policy.



**Current Outside Agency Policy, Part of Resolution 3110)**



**CITY OF BRYAN**  
*The Good Life, Texas Style.™*

**City of Bryan, Texas**

**Outside Service Agency  
Funding Policy**

**Non-CDBG Funds**

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## **Introduction**

This policy incorporates additional direction for funding outside service agencies and programs from City funds, excluding Community Development Block Grant (CDBG) funding. The policy replaces all previous policies adopted by the City except as specifically noted within this policy statement. The proposed policy has been divided into four (4) sections.

**Section 1 – General Policy Statement:** describes the scope of the Outside Service Agency Funding Policy, policy objectives, definition of terms used in the policy, and types of agencies addressed in the policy.

**Section 2 – Public Service Agencies:** addresses public service agencies funded by the City of Bryan from funding sources other than Community Development Block Grant Funds.

**Section 3 – Public Service Agency Application Review Process:** describes the review process for public service agency funding.

**Section 4 – Contract Partner Agencies:** describes agencies that perform specific services on behalf of the City of Bryan. Due to the unique nature of the services provided by the Contract Partner Agencies, they are treated on a separate policy basis from the public service agencies and do not compete for funding with the public service agencies.

## **Section 1**

### **General Policy Statement**

This section describes the scope of the Outside Service Agency Policy, policy objectives, definition of terms used in the policy, and types of agencies addressed in the policy.

## **1.00 Policy Statement**

It is the policy of the City of Bryan, as adopted by its City Council, to provide funding in the form of grants to non-profit outside service organizations and agencies which are located in Bryan, College Station, or Brazos County which provide specific services and programs that support at least one of the following service objectives of the City:

- 1) Provides a vital social service that is not duplicated by other organizations in the community or region.
- 2) Provides a service or program that is better delivered by a public service agency or organization rather than City government.
- 3) Provides a needed cultural or arts amenity to the public that is not duplicated in the community or region.
- 4) Provides the City government with a specific economic development or tourism benefit which is consistent with the regulations set forth in the Texas Local Government Code.

This policy applies to any outside service organization, agency, program, or activity that operates as a non-profit organization and requests a grant of funds from the City of Bryan to deliver the program, service, or activity to Bryan citizens from funds other than CDBG funds. Agencies that are eligible for CDBG and have not applied for CDBG funds are not eligible for this funding. Agencies that have applied for CDBG funds and received a recommendation for funding are not eligible for this funding. Agencies that are eligible and have applied for CDBG and not received a recommendation for funding are eligible to apply for funding through this process. Not receiving a recommendation for funding for CDBG does not imply an agency will receive funding through the outside agency funding process, if applying.

## **1.01 Policy Objectives**

Public service organizations enrich Bryan as a community and assist the City government in achieving its mission ... *The City of Bryan is committed to providing financially efficient municipal services to improve the quality of life and develop a community where all citizens are proud to live.* Providing funding to public service organizations requires the achievement of public purposes through the statement of fair and equitable policies.

The use of public funds must meet clearly defined standards as mandated by the Texas Constitution, State statutes, and Federal regulations. Those standards demand public funds be spent for public purposes and not for private benefit. This policy establishes a clear standard to provide grants to various Public service organizations that fulfill a public purpose by delivering programs and activities to the citizens of Bryan.

This policy has three (3) objectives:

1. To provide a comprehensive statement of policy for funding public service organizations.
2. To provide specific guidance to public service organizations to evaluate their eligibility to receive public funds from the City of Bryan.

3. To establish clear guidelines and procedures to be administered by the City Manager and the City Council for use by the appointed review body to evaluate requests for funding from public service organizations.

### **1.03 Public Purpose Test**

The Texas Constitution, State statutes, and Federal regulations establish clear standards for the use of public funds. The standards require cities to spend taxpayer money for public purposes and prohibit the use of public money for private purposes. The application of this mandate, for the purposes of this policy, will be accomplished on the basis that the City will fund those agencies and programs that fully meet the requirements of this policy. Every agency must serve a public purpose by delivering services that the City government could provide itself but chooses to deliver the services through a non-profit entity.

#### **1.03 Definitions**

For the purposes of this policy, the following definitions will apply.

*Non Profit.* Refers to 501(c) organizations as defined by the Internal Revenue Service (IRS).

*Program.* Refers to the smallest subpart of an organization or entity.

*Capacity Building.* Systematic efforts by an organization to develop organizational capabilities to raise funds, build leadership and stewardship capacity, and increase service impacts.

*General and Administrative expenses.* Cost of goods and services designed to pay for administrative services, management or general agency costs not directly attributable to the delivery of services to clients.

*Community Impact Statement.* Compilation of data required by this policy that demonstrates the number of Bryan citizens benefiting from the program being considered for funding by the City of Bryan.

### **1.04 Enforcement and Implementation**

The City Manager will ensure this policy is equitably administered. Each agency that receives City funding will be provided a copy of this policy and the necessary guidelines developed to fully implement this policy.

### **1.05 Amendments and Changes**

This policy may be amended by the Bryan City Council.

## **Section 2**

### **Public Service Agencies (Non CDBG)**

This section addresses public service agencies funded by the City of Bryan from city sources other than Community Development Block Grant (CDBG) Funds.

## **2.00 Public Service Agencies (non CDBG)**

All agencies, except CDBG eligible and funded public service programs and Contract Partner Agencies, requesting program funding will be required to follow the Public Service Agency funding requirements established by this Section of the Outside Service Agency Funding Policy.

### **2.01 General Eligibility Criteria for Public Service Agencies (non CDBG)**

Public service agencies must meet the following criteria and standards to be eligible for funding.

#### **2.01.1 Non-Profit Status**

Public service agencies are required to be a 501 (c) organizations as defined by the Internal Revenue Service (IRS) to qualify for funding.

#### **2.01.2 Public Purpose**

An agency must demonstrate the program serves a public purpose. The program must be non-discriminatory and must not provide support or provide service to a private individual or private interest.

#### **2.01.3 Funding Request to Other Public Entities**

Agencies are encouraged to submit similar funding requests to the City of College Station and Brazos County, if their primary mission serves Brazos County. When an agency also serves the Brazos Valley region, they are encouraged to submit similar funding requests to other regional entities. Documentation of similar funding requests is to be submitted with the City of Bryan funding application.

#### **2.01.4 Single Source Funding Application**

City funding will be provided from one source only. No public service agency will be permitted to be awarded City funding from more than one source of funds during a funding cycle.

Programs which were awarded CDBG funding by the Joint Relief Funding Review Committee (JRFRC) may not apply for other City funding in addition to CDBG funding.

City funding is limited by statutes and regulations for specific purposes. General Funds may be used for programs and activities that meet the public purpose test for the expenditure of public funds.

#### **2.01.5 Grant Applications**

All applications for grants from the City must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:

- a. Must demonstrate how the program meets the mission, vision, and values of the City of Bryan.

- b. Must demonstrate the program meets the public purpose test for the expenditure of public funds.
- c. Must demonstrate positive community impacts by submitting a Community Impact Statement.
- d. Must also provide evidence of current request for funding from the City of College Station and Brazos County, if the grant request is represented to serve Brazos County.
- e. Requests for funding ongoing administrative costs will not be considered. Grants to agencies will be awarded for one of two types of expenditures:
  - o Program specific: Must demonstrate the program delivers a specified service or activity that can be segmented and measured for results.  
If program funding is awarded, no more than 25% of a program's budget may be used for general and administrative expenses. At least 75% of the Program's budget must be dedicated to program specific activity.
  - o Capital construction: Must demonstrate that the capital construction or expense will assist the agency in better serving the community. 100% of the funding granted by the City must be used for the capital construction or expense. There is no allowance for general and administrative expenses.
- f. Must be submitted in hard copy at the location designated by the City Manager to receive grant applications. Grant applications will not be accepted via electronic transmission.
- g. Must be submitted by the deadline date established. Applications must be complete in all respects upon submittal. Incomplete or late applications will be returned and denied processing for the grant period for which they are submitted.
- h. Will be accepted for the upcoming funding cycle only. The City will not accept grant applications for any future funding period.

### **2.01.6 Funding Period**

The City of Bryan provides a grant for a one-year period. The City of Bryan is not obligated to fund a program that is approved for any subsequent years. Agencies must apply for program funding each year. In no event will multiple programs or activities be funded from the same agency during the same funding year.

### **2.02 Agencies Ineligible to Apply for Funding**

#### Non-Local Health/Medical Associated Organizations

Health/medical associated organizations which are supported by their state or national branch will be ineligible to receive funds from any City source of funds. Only health/medical associated organizations founded locally and which have local offices within Brazos County will be eligible to apply for funding.

### **2.03 Public Service Agency Contracts**

All public service agencies that are allocated funds by the City Council will be required to enter into a contract with the City. Contracts will be approved by the City Attorney and authorized by the City Council.

### **2.04 Reports and Monitoring**

Quarterly reporting will be required of all public service agencies. Quarterly reports will include quarterly financial statements that describe specifically how the funds from the City of Bryan are being utilized; a narrative describing the program activities of the organization; and service level indicators and/or performance measures (e.g. number of citizens assisted) for each organization. The City will monitor public service agencies to ensure City funds are used in compliance with contract language and to achieve public purposes.

- a. Funding for each agency will be made quarterly.
- b. Continued funding is contingent on the timely submission of required quarterly reports.
- c. Receipts and/or supporting documentation will be required from the agency to document the use of City funds. Copies of receipts from each quarter will be due with the quarterly report. Any discrepancy between the amount of the quarterly payment and the actual cost of the program for the quarter shall be reconciled at the end of the funding year. Any unused grant funds shall be returned to the City.
- d. An annual report will be prepared by all public service agencies for City Council review as a part of the budget review process. The annual report will include, at a minimum, agency and program specific information including a narrative on accomplishments, a list of their board of directors, and any programmatic changes with the agency's programs. In addition, at a minimum, financial specific information, including the agency's balance sheet, income statement and funding sources for all programs should be a part of the annual report.
- e. The City will be allowed access to the agency's financial records to allow the City to audit or review the agency's financial records.

**Section 3**  
**Public Service Agency**  
**Application Review Process**

This section describes the review process for Public Service Agency funding applications.

### **3.00 Public Service Agency Application Review Process**

All applications for public funding, except as exempted by this policy, will be presented to the Committee for review. The Committee Chair, in coordination with the City Manager, will establish the meeting schedule for the purpose of preparing funding recommendations to the Bryan City Council.

### **3.01 Committee Members**

The Committee shall be comprised of the three Bryan members of the Joint Relief Funding Review Committee (“JRFRC”), the Mayor and/or his designee, one additional member of the Bryan City Council, and two City staff members.

### **3.02 Evaluation Criteria**

The committee will use the following criteria to evaluate applications:

- a. Public purpose: Each program funded by the City of Bryan must meet the purpose test established in this policy.
- b. Community impact: The program must have a substantive impact on the Bryan community consistent with the mission and priorities established by the City Council.
- c. Policy compliance: The Committee will consider both the completeness and timeliness of the application in adherence to the requirements of this policy.

### **3.03 Committee Recommendations**

The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.

### **3.04 Funding Public Service Agency Requests**

The City Manager is required by Charter to develop an annual budget that estimates the revenues and expenses for Bryan city government. The City Manager will prepare an estimate of available funding to support the Council’s Public Service Agency Funding Policy, and will submit the estimate to the City Council for their consideration in funding public service agencies.

### **3.05 Funding Sources**

The City Council may utilize the following sources of funds to provide the Outside Public Service Agency funding.

- The City Council Contingency budget within the General Fund or another source of revenue funds identified and approved by the City Council.

## **Section 4**

### **Contract Partner Agencies**

This section deals with agencies which provide specific services to the City of Bryan. Because of the unique nature of the services provided by the Contract Partner Agencies, they are treated on a separate policy basis than other Public Service Agencies.

#### **4.00 Contract Partner Agencies**

The City of Bryan recognizes there are organizations which provide unique services to the City including economic development, tourism development, marketing, and coordination of cultural arts activities to Bryan citizens, and others. Contract Partner Agencies will be required to follow a distinct and separate annual funding process from all other public service agencies covered by this policy.

Agencies that fit the Contract Partner Agencies category are as follows:

- Research Valley Partnership (Economic Development)
- Downtown Bryan Economic Development Association (Economic Development)
- Convention and Visitors Bureau (Tourism Development and Marketing)
- Arts Council of Brazos Valley (Arts and Culture )
- Brazos County Heath District
- Others as identified by City Council/staff

The City of Bryan also recognizes there are agencies providing programs that directly support City departmental activities. Requests will be solicited by the department from the appropriate agency for review. Division managers and directors will review these requests for appropriateness and determine whether to include the requests in their proposed budget and recommend a funding level. Funding for these agencies will be included in the proposed departmental budgets at the discretion of the City Manager. City Council will determine funding levels for these agencies as part of the departmental budget review process. Agencies funded in departmental budgets will conform to the same requirements of the Contract Partner agencies.

An example of an agency that directly supports City departmental activities is:

- Keep Brazos Beautiful (Solid Waste Fund)
- Brazos Animal Shelter (Solid Waste Fund/General Fund)
- Brazos Valley Community Network (General Fund)
- Emergency 911 District (Police and Fire Departments – General Fund)
- Others as identified by City Council/staff

#### **4.01 Contract Partner Agencies Funding Process**

Contract Partner Agencies will use the following procedures for annual funding requests:

- a) Submit budget requests to the City Manager by the deadline and in the format established by the City Manager.
- b) Agency funding requests will be reviewed during the departmental budget review process and submitted to City Council at the same time all departmental requests are submitted.
- c) The City Manager will provide recommendations on each request from Contract Partner Agencies.
- d) City Council will approve funding levels for each Contract Partner Agency.

#### **4.02 Contract Partner Agencies Contracts**

Contracts will be required for all Contract Partner Agencies who are allocated funds by the City Council. Contracts will be approved by the City Attorney and submitted to City Council for final approval.

#### **4.03 Reports and Monitoring**

Quarterly Reports will be required of all Contract Partner Agencies. Quarterly Reports will include quarterly financial statements that describe specifically how the funds from the City of Bryan are being utilized, a narrative of program activities for the organization, and service levels and performance measures for each organization. The City will monitor Contract Partner Agencies to ensure City funds are used in compliance with contract language and to achieve public purposes.

- a) Funding for each agency will be made quarterly.
- b) Continued funding is contingent on the timely submission of required Quarterly Reports.
- c) Organizations that receive funds from the Hotel Occupancy Tax Fund will meet the requirements of this section and all of the requirements listed in the State law regarding the proper reporting and accounting of Hotel Occupancy Tax funds.
- d) An annual report will be prepared by all Contract Partner Agencies for City Council review as a part of the budget review process.
- e) The City will be allowed access to the agency's financial records to allow the City to audit or review the agency's financial records.