

**RESOLUTION NO. 20201203-011**

**WHEREAS**, the City Council, in Resolution No. 20180830-056, adopted Economic Development Guiding Principles and a Chapter 380 Policy to govern all Chapter 380, Local Government Code, programs; and

**WHEREAS**, Resolution No. 20180830-056 requires the City Manager to ensure that all Chapter 380 programs are developed in accordance with these policies and principles; and

**WHEREAS**, the City Council, in Resolution No. 20200917-062, to assist with the economic recovery for the COVID-19 pandemic, directed the City Manager to revise the Chapter 380 program to expand its application, fee and permit waivers and reductions, administrative changes to lower or eliminate operational costs, and facilitating commercial tenant stabilization, protection or assistance programs that provide support associated with commercial evictions, leases workouts and mediations, and support or education concerning seeking bankruptcy or other financial protections, including but not limited to by coordinating with or otherwise supporting organizations able to do this work; and

**WHEREAS**, the existing Business Expansion Program is intended to be used as a resource for support of emerging industry and expanding businesses that stand to provide inclusive growth opportunities for Austin, which is considered a tool for supporting competitive economic development projects that contributes to a holistic approach to economic recovery; and

**WHEREAS**, to develop a Chapter 380 program that provides assistance for the COVID-19 pandemic economic recovery, especially an impactful and attractive program for those small, local and creative businesses identified in Resolution No. 20200917-062, the program may have to deviate from the policies and principles that apply to standard Chapter 380 programs; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council approves the development of Chapter 380 programs for a period of two years, to provide economic recovery assistance for the COVID-19 pandemic, that are not in strict accordance with the Economic Development Guiding Principles and the Chapter 380 Policy; and

**BE IT FURTHER RESOLVED:**

The City Council exempts the Chapter 380 programs that are developed to provide economic recovery assistance for the COVID-19 pandemic from the requirements of Resolution No. 20180830-056; and

**BE IT FURTHER RESOLVED:**

The City Manager shall prioritize applications for businesses that provide living wages, paid sick leave, or health insurance.

The City Manager shall require one of the following, whichever is more feasible:

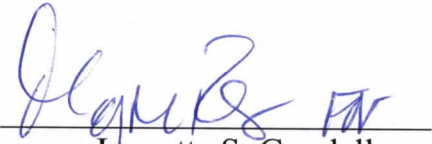
- Participants will adhere to worker safety protections and workers' rights as applicable to the facility and business operations in accordance with local, state, and federal laws. The City may find a breach of the program guidelines if a program participant is found to have violated workers' rights for a period of two years from the execution of program agreements, either because of a substantiated finding as determined by the City and is not cured by the participant, of unfair labor practices, worker safety violations, violation of anti-discrimination laws, or violation of other applicable worker rights laws.
- Applicants shall be disqualified if the applicant is found to have violated workers' rights in the last five years, either because of a substantiated finding as determined by the City and is not cured by the participant, of unfair labor practices, worker safety violations, violation of anti-discrimination laws, or violation of other applicable worker rights laws; and

**BE IT FURTHER RESOLVED:**

The City Manager is directed, as far as is possible before the end of the year, to return to Council with options to supplement this program in a way that stays within our financial policies and without reducing funding for other already scheduled programs.

**ADOPTED:** December 3, 2020

**ATTEST:**

  
Jannette S. Goodall  
City Clerk