



**CONTRACT NUMBER 224-050
RESTATED FUND DISTRIBUTION AGREEMENT
(UTILITY PAYMENT ASSISTANCE PROGRAM)**

This Agreement (“**Agreement**”) is entered into by and between THE CITY OF SAN MARCOS, a municipality in the State of Texas (“**City**” or “**Owner**”) and Community Action, Inc., of Central Texas (CAI), 215 South Reimer Avenue, San Marcos, Texas 78666 (PO Box 748, San Marcos Texas 78667-0748) (“**Contractor**” or “**Firm**”) for the purpose of allocating utility payment assistance funds allocated by the City to qualified customers.

City Funds Less 10% Administrative Fee	10% Administrative Fee	Total Awarded Assistance Amount	Less Assistance Already Issued	Total Remaining Assistance Amount
\$27,000	\$3,000	\$30,000	\$13,209.58	\$13,790.42

The City and Contractor agree as follows:

1. The City will be responsible for:

- Providing the Contractor with the following exhibits for use in completing contract activities:
 - **Utility Payment Assistance Process** (Exhibit “A”);
 - **City Application for Utility Payment Assistance** (Exhibit “B”);
 - **Notice of Request for Utility Payment Assistance** (Exhibit “C”); and
 - **Utility Payment Assistance Tracking Record** (Exhibit “D”).
- Verifying appropriations, per fiscal year (October 1 through September 30), for distribution to qualified customers of the City of San Marcos Utility Services. The distribution will be for electric utility customers and water/sewer utility customers.
- Establishing a reserve for the appropriated funds in the fiscal year.
- Applying the payment to the customer’s account, when the approved **Notice of Request for Utility Payment Assistance Form** (Exhibit “C”) is received from the Contractor on behalf of a customer.
- Scheduling quarterly meetings with the Contractor to review the distribution of City funds.
- An administrative fee of up to ten percent (10%) of assistance award amount will be paid to the Contractor for administration of the program. The Contractor agrees and assures that total administrative fees charged for the administration of the Utility Payment Assistance Program shall not exceed the total amount of payment assistance provided to utility customers, unless prior written authorization is provided to the Contractor by the City. Administrative fees must be reasonable, proportional, and transparently disclosed to ensure the primary allocation of funds remains focused on direct payment assistance to customers. The administrative fee will be paid at the end of the quarter for which the services are provided.

2. Contractor will be responsible for:

- Obtaining written verification from the Utility Billing Manager prior to the start of each fiscal year for approved funding level.

- Reviewing and approving applications for utility payment assistance.
- Providing a monthly report of approved and denied applications and transactions during the current month and year to date. The monthly report will be submitted to the Utility Billing Manager on the first Monday of each month.
- Incorporating a universal **City Application for Utility Payment Assistance** (Exhibit “B”) provided by the City with the Contractor’s application process.
- Issuing the **Notice of Request for Payment Assistance Form** (Exhibit “C”) to the City on behalf of the approved customers as needed.
- Monitoring the approved distribution of the funds for customers’ utility bills through use of **Utility Payment Assistance Tracking Record** (Exhibit “D”).
- Attending quarterly meetings with City staff for discussion regarding distributions of funds, outreach, and barriers.

3. **Distribution of Funds:**

- Funds will be used to assist customers of the City’s utility services with payments of their utility bill.
- City funds will **not** be used to assist customers with **deposits** to establish their services.
- Customers may receive assistance up to four (4) times per fiscal year the agencies contracted to manage the Utility Payment Assistance Program. The City’s fiscal year runs October 1 through September 30.
- Assistance may be provided for a current billing period, and the arrears amount due not to exceed sixty (60) days of outstanding bills and late penalty charges.
- All other fees are not eligible to be paid using utility assistance funds. This includes, but is not limited to, Tampering Fees, Connection Fees, and After-Hours Connection Fees.
- Donated funds are not guaranteed and are not subject to automatic renewal each year. However, unused donated funds may carry over to the next fiscal year at the City’s discretion.
- An amendment to this agreement may be enacted for allocating future donations for pledges (assistance amount awarded) to other utility providers at the City’s discretion.
- One hundred percent (100%) of donated funds is used for providing direct utility payment assistance. The ten percent (10%) administrative fee for total award is derived from total award but is paid from the City budget funds.

4. **Qualification Criteria:** Customers must meet one or more of the following criteria to be eligible for utility assistance:

- Low income (250% of the federal poverty) families
- Elderly (60 years of age or older)
- Disabled
- Veterans
- Children five (5) years of age or younger residing in the household

5. **Terms of Agreement:**

- The ten percent (10%) administrative fee invoice cannot exceed the amount of total pledges processed during the invoiced period. An exception may be made for submitted documentation for actual costs of expenses promoting the utility payment assistance program, not exceeding the total allowable administrative fee.

- Reallocation of unused funds: If it is determined that allocated funding is not being utilized or appears unlikely to be utilized within the contract term, the City reserves the right to reallocate such funds to other agencies at its discretion. Affected parties will be notified in writing of any reallocation.
- The term of this Agreement will continue from the effective date as of last signature until September 30, 2025, and includes one (1) additional one-year option to renew which will renew automatically.
- This Agreement may be terminated by either party with thirty (30) days' prior written notice.
- This Agreement may be terminated immediately if either party fails to perform in accordance with the terms of this Agreement, such as failure to provide monthly reports, participate in quarterly meetings, and provide deliverables as required.
- In the event of termination or in the event are not met, the Contractor may be required to reimburse the City for any advanced administrative fee payments.
- In the event this Agreement is terminated by either party, the Contractor must provide, to the City, a report of all funds utilized to date and refund any amount of funds that has not been provided to customers within thirty (30) days of termination.

This Agreement will be effective as of the date of last signature through September 30, 2025, and will automatically renew for one (1) one-year period.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date(s) set forth opposite the signatures of their authorized representatives to be effective as of last signature:

OWNER:**FIRM:****THE CITY OF SAN MARCOS****COMMUNITY ACTION, INC.**

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

ATTACHMENTS:

Exhibit "A" - Utility Payment Assistance Process

Exhibit "B" – City Application for Utility Payment Assistance

Exhibit "C" - Notice of Request for Utility Payment Assistance

Exhibit "D" - Utility Payment Assistance Tracking Record



Utility Payment Assistance Process City of San Marcos and Agency

The process outlined is to be followed between Utility Billing with the City of San Marcos and the Utility Payment Assistance Agency for pledges on qualifying applications that are approved by the agency using city funds and utility donations.

Utility Billing will provide the following templates for the Utility Payment Assistance Process for the Agency:

1. Notice of Request for Utility Payment Assistance Pledge Form
2. Utility Payment Assistance Application
3. Utility Payment Assistance Tracking Record

Approved applications:

- Applicants will submit the application to the agency. The agency will incorporate the city's universal application with their internal process.
- Agency will review the application to determine approval/denial
- If approved, agency will email the Notice of Request for Utility Payment Assistance pledge form to Utility Billing with the City of San Marcos at:
- ubassistance@sanmarcostx.gov
- Utility Billing representative will receive the pledge and post the approved pledge within 24 hours of receipt

The Utility Payment Assistance Tracking Record for approved/denied applications:

- Agency will document the applicant's information on the spreadsheet with the reason for approval/denial
- Report will need to be submitted to Utility Billing Manager on the first Monday of each month. If either agency is closed due to a holiday, report can be submitted next business working day.



City Application for Utility Payment Assistance

This utility assistance payment program is a collaboration between the City of San Marcos and our four partnering agencies: Business and Community Lenders (BCL) of Texas; Community Action, Inc., of Central Texas; Communities in Schools; and Salvation Army of San Marcos

Utility payment assistance is for the residents of San Marcos with City of San Marcos utility services.

Date
Name of account holder (Must be in Household)
Client Name
Relationship to applicant
Date of birth
Phone Number
Service address
Mailing address if different
Email address

If you submit this application on behalf of the account holder, please provide your contact information and reason for submitting on their behalf.

1. Do you receive one of the following? Check all that apply

- ☐ Free/Reduced Price Lunch (FRPL)
☐ Supplemental Nutrition Assistance Prog (SNAP)
☐ Supplemental Nutrition Program for Women, Infants and Children (WIC)
☐ Medicaid ☐ Medicare ☐ Children's Health Insurance Program (CHIP)

The following documents are required:

- Identification: This may include driver's license, passport, Enhanced Library card, US Military ID or Veteran ID Card (VIC), or other Government Issued ID.
- Proof of Income (s): This may include check stubs (weekly-4 stubs, bi-weekly-2 stubs, monthly-1 check stub; Self-employment-bank statement or P&L statement, Supplemental Security Income (SSI), Military pay documentation
- Supporting documentation of emergencies or economic hardship.
- Recent utility billing statement

2. Utility Assistance may be awarded up to four (4) times a year.

Have you received assistance from one of the following agencies within the past year?

☐ Yes ☐ No

- Business and Community Lenders: BCL of Texas
- Community Action
- Communities in Schools
- Salvation Army

3. If yes, please list the following information.

Date of Application	Agency Name	Amount Received
		\$
		\$
		\$
		\$

The information that I have provided is true and correct to the best of my knowledge and belief.

Signature: _____ Print Name: _____

Date: _____

Agency Use Only:

Application Criteria:

- ☐ Low income (250% of the federal poverty level) families
- ☐ Elderly (60 years or older) ☐ Disabled ☐ Military Veterans
- ☐ Have children in the household age 5 years or younger

Approved ☐ Amount of Pledge: \$ _____

Denied ☐ Reason for denial: _____

Staff

Signature _____ Date _____



Notice of Request for Utility Payment Assistance

To: City of San Marcos
Attention: Ali Pedersen, Brenda Munoz, Jaslyn Granado
Phone: 512-393-8383
Fax: 855-759-2835
Email: ubassistance@sanmarcostx.gov
Date: _____

**Name and Address of Agency Pledging
City of San Marcos Utility Payment Assistance Funds:**

Utility Account #: _____
Name: _____
Address: _____

Client Name: _____
Amount of Assistance: _____
Assistance from Fund: ☐ City Funds ☐ Utility Donation Funds
Agency Representative: _____
Authorized Signature: _____
Print name: _____

COSM Use Only:

Date Received	_____	User Initials	_____
Date Posted	_____	User Initials	_____
Date eDoc	_____	User Initials	_____
Comments:	_____		

