

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

AUTHORIZING THE ACCEPTANCE OF FUNDS UPON AWARD IN AN AMOUNT UP TO \$13,008,023.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR PUBLIC HEALTH FUNCTIONS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OF JULY 1, 2024 THROUGH DECEMBER 31, 2025, AUTHORIZING THE EXECUTION OF MEMORANDA OF AGREEMENT WITH NO EXCHANGE OF FUNDS ASSOCIATED WITH THESE GRANT-FUNDED PROJECTS, AND APPROVING ASSOCIATED PERSONNEL COMPLEMENTS.

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WHEREAS, as a public health authority, the San Antonio Metropolitan Health District (Metro Health) actively addresses the public health functions of policy development, health assessment, and health assurance; and

WHEREAS, to carry out these responsibilities, Metro Health operates evidenced based programs in various settings throughout the County; and

WHEREAS, these 18 Texas Department of State Health Services (DSHS) grant awards support 136 grant-funded, full-time positions, which will account for 21% of the total number of Metro Health staff (651 positions) as adopted through the City's annual budget for FY 2024; and

WHEREAS, the Department provides services to residents at public health settings and service locations located throughout the City and Bexar County; and

WHEREAS, with State grant support, Metro Health provides preventive health services, community education, limited clinical services to prevent communicable diseases, emergency preparedness, disease control, supplemental nutrition programs, and dental health services; and

WHEREAS, Metro Health receives approximately 12% of its total budget support through these 18 contract and grant awards from the State of Texas in both direct funding and federal pass-through funding; and

WHEREAS, since 2007, this support has been authorized by City Council through a block submission of state grant applications and renewals, most recently on January 26, 2023 (Ordinance 2023-01-26-0030), as well as individual actions; and

WHEREAS, Metro Health will request \$13,008,023.00 in funding from DSHS through this ordinance; and

WHEREAS, this action will authorize a total of 136 grant positions, 14 less positions than the number of positions authorized by DSHS for FY 2024; and

WHEREAS, final amounts will be determined by State Agencies and may result in higher or lower amounts; and

WHEREAS, frequently Metro Health requests City Council authorize agreements with agencies for the provision of services relating to Metro Health programs and projects; and

WHEREAS, many times, these agreements do not include the exchange of funds between the City and these agencies; however, the execution of these agreements does require City Council action; and

WHEREAS, the Department requests authorization for the Director of Metro Health to execute Memoranda of Agreement (MOAs), to include Data Use Agreements and Business Associate Agreements, with no exchange of funds that enhance programs or services associated with these grant-funded programs; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee, or the Director of the San Antonio Metropolitan Health district or designee, is authorized to accept funds upon award in the amount up to \$13,008,023.00 from the Texas Department of State Health Services (TDSHS) for core public health functions of the San Antonio Metropolitan Health District for the period of July 1, 2024 through December 31, 2025. A program synopsis is attached and incorporated herein for all purposes as **Attachment I**. If awarded, the City is authorized to provide \$337,684.00 of in-kind services from the General Fund.

SECTION 2. The City Manager or designee, or the Director of the San Antonio Metropolitan Health District or designee, is further authorized to initiate, negotiate, and execute any and all necessary documents and grant contracts to effectuate the acceptance of the referenced grants, and to execute contract amendments pertaining to these contracts, to include: a) carry-over funds, when ascertained and approved by the funding agency through a revised notice of award; b) line item budget revisions authorized by the funding agency; c) modifications to the performance measures authorized by the funding agency and listed in the contracts so long as the terms of the amendment stay within the general parameters of the intent of the grant; d) no cost extensions; e) amendments which will provide supplemental grant funds to a grant by the funding agency in an amount up to 20% of the total amount initially awarded to the grant; f) reimbursement increases of administrative funds for each participant served; g) amendments funding one time equipment purchases or defined program services; and h) changes in state regulations mandated by the funding agency.

SECTION 3. Should funding be awarded, upon acceptance of these awards, new funds and internal order numbers will be created, upon which the award amounts will be appropriated from the TDSHS. A final budget for each contract which will include SAP Internal Orders and SAP GL Accounts will be submitted by the San Antonio Metropolitan Health District upon award. The proposed budget attached hereto and incorporated herein for all purposes as **Attachment I** is approved. The City Council of the City of San Antonio finds there is a public purpose served by the City's participation in these grants and authorizes incidental expenditures for grant program participants consistent with grant program parameters.

SECTION 4. The proposed personnel complement of 136 positions which is attached hereto and incorporated as **Attachment I** is hereby approved. The Director of the San Antonio Metropolitan Health District or designee is further authorized to change personnel complement classifications within the approved personnel complement so long as there is no increase to the overall budget.

SECTION 5. The City Manager or designee or the Director of the San Antonio Metropolitan Health District or designee is further authorized to execute Memoranda of Agreement, to include Data Use Agreements and Business Associate Agreements, that enhance program services with no exchange of funds associated with these grant-funded projects.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of February 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney