

DRAFT ORDINANCE

APPROVING THE APPLICATION AND ACCEPTANCE UPON AWARD OF ADDITIONAL REIMBURSEMENT FUNDING FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) CATEGORY B PUBLIC ASSISTANCE PROGRAM IN THE AMOUNT OF \$6,130,815 FOR TEMPORARY NON-CONGREGATE SHELTER OPERATIONS RELATED TO COVID-19, TO INCLUDE A CITY CONTRIBUTION OF \$119,842 FROM THE HEALTH IMPLEMENTATION PLAN (GENERAL FUND), AND AN AMOUNT OF \$10,766,014 FROM THE NATIONAL BOARD EMERGENCY FOOD AND SHELTER PROGRAM (EFSP) FOR QUALIFYING MIGRANT SERVICES EXPENSES; AND APPROVING AMENDMENTS, EXTENSIONS, LEASE AGREEMENTS AND CONTRACTS FOR SHELTERING AND SUPPORTIVE SERVICES UP TO THE AMOUNTS FOR ANTICIPATED TO BE REIMBURSED.

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WHEREAS, since April 2020, the City of San Antonio has funded two non-congregate shelters in hotel facilities to respond to the pandemic supported by Coronavirus Relief Funds and Emergency Solutions Grant; and

WHEREAS, together, these facilities have prevented significant outbreaks from occurring at congregate shelters; and

WHEREAS, the Isolation Care Facility (ICF) provides isolation sheltering for people who have contracted or been exposed to COVID-19 and who cannot safely self-isolate; and

WHEREAS, the ICF was operated by the San Antonio Fire Department from April 2020 to January 2021; and

WHEREAS, since then, it has been operated by Endeavors, a local nonprofit, under direction of the Department of Human Services; and

WHEREAS, many clients come from congregate homeless shelters and return after their safe isolation period; and

WHEREAS, the ICF also expanded to provide sheltering for migrant individuals and families transiting through San Antonio but needing overnight shelter while awaiting their departing bus or flight; and

WHEREAS, since inception, the ICF has served nearly 4,000 individuals; and

WHEREAS, the City has also supported non-congregate sheltering for people experiencing homelessness who are enrolled in Haven for Hope and are at increased medical risk of contracting COVID-19 or suffering from complications due to COVID-19; and

WHEREAS, since opening as a functional extension of the Haven for Hope campus, the non-congregate setting has served approximately 2,000 individuals; and

WHEREAS, the hotel facility allows for social distancing of individuals out of congregate settings, with rooms prioritized for the most medically vulnerable; and

WHEREAS, by providing this shelter alternative, the population at Haven for Hope avoided significant COVID-19 outbreaks; and

WHEREAS the FEMA Category B Public Assistance program supports funding of non-congregate sheltering for COVID-19 prevention; and

WHEREAS, the program normally requires a 25% local match; however, that requirement was waived by the White House in January 2021 and extended through July 1, 2022 to allow 100% reimbursement to local governments; and

WHEREAS, in December 2021, City Council approved acceptance of reimbursement in the amount of \$6,528,848 for the FEMA Category B Public Assistance Program; and

WHEREAS, on March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law, providing \$110 million to the FEMA National Board of Emergency Food and Shelter Program (EFSP) to help defray the costs that state and local service agencies (non-profit, faith-based, and governmental) may incur in providing shelter, food, and supportive services to families and individuals encountered by the Department of Homeland Security (DHS); and

WHEREAS, since January 2021, as part of ARPA Humanitarian Relief, the City of San Antonio, through the Department of Human Services and nonprofit partners, has served nearly 185,000 migrants transiting through San Antonio in route to their final destination; and

WHEREAS, through partnerships with the City, Interfaith Welcome Coalition (IWC), Endeavors, and Catholic Charities, migrants received emergency shelter, food, transportation, and support services to individuals and families as they navigate the immigration process; and

WHEREAS, City Council previously approved acceptance of reimbursement for the initial funding term of EFSP through December 31, 2021 in the amount of \$955,388, and an additional \$1,002,500 in January 2022, for a total of \$1,957,888 through March 31, 2022; **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 Department of Human Services (DHS) or designee, is hereby authorized to (1) submit an application and accept upon award an additional \$6,130,815 for a total amount of \$12,659,663, which includes a prior amount of \$6,528,848 in reimbursement from the Federal Emergency Management Agency (FEMA) Category B Public Assistance Program, and (2) contribute the amount of \$119,842 from the Health Implementation Plan (General Fund), in support of temporary non-congregate shelter operations to limit the spread of COVID-19. A copy of the original grant application is on file with DHS.

SECTION 2. The City Manager or designee, or the Director of the Department of Human Services (DHS) or designee, is hereby authorized to submit an application and accept upon award an additional \$10,766,014 for a total amount of \$12,723,902, which includes a prior amount of \$1,957,888 in reimbursement from the National Board Emergency Food and Shelter Program (EFSP), to support migrant response efforts in San Antonio. A copy of the original grant application is on file with DHS.

SECTION 3. The City Manager or designee, or the Director of DHS or designee, is further authorized to initiate, negotiate, and execute any and all necessary documents, including grant contracts and amendments to effectuate the acceptance of the grants referenced in Sections 1 and 2 of this ordinance 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 grant contract 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 the grant by the funding agency in an amount up to 20% of the total amount awarded to the grant; f) reimbursement increases of administrative funds for each participant served; g) one time equipment purchases or defined program services; and h) changes in regulations mandated by the funding agency.

SECTION 4. Proposed budgets in the amounts referenced in Sections 1 and 2 are attached hereto and incorporated herein for all purposes as **Attachments I and II** and are hereby approved. A formal final budget which will include a department specific fund, an Internal Order number, and General Ledger numbers will be submitted by the department upon award.

SECTION 5. The City Manager or designee, or the Director of the Department of Human Services (DHS) or designee, is hereby authorized to enter into contract extensions and amendments and new contracts and lease agreements for continuity of operations and provision of sheltering and supportive services described herein, to include a lease agreement for a building to process and shelter migrants travelling through San Antonio.

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 16th day of June, 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney