

ORDINANCE NO. 2004-2005-H

An ordinance amending the 2004-2005 Fiscal Year Budget of the City of Victoria by transferring \$ 300,000 from the General Fund fund balance to the FEMA Fund Line Item to pay FEMA-reimbursable expenses for Hurricane Katrina evacuees, authorizing the City Manager to execute all documents necessary, including contracts with landlords and service providers, to pay for FEMA-reimbursable expenses for Hurricane Katrina evacuees and obtain FEMA reimbursement for said expenses, repealing all conflicting ordinances, providing for severability, declaring an emergency, and declaring an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The Fiscal Year 2004-2005 Budget of the City of Victoria is amended by transferring \$ 300,000 from the General Fund fund balance (0001-300100), to the FEMA Fund Line Item (0001-01NON-720100) to pay FEMA-reimbursable expenses for Hurricane Katrina evacuees.

2.

The City Manager is authorized to execute all documents necessary, including contracts with landlords and service providers to pay for FEMA-reimbursable expenses for Hurricane Katrina evacuees and obtain FEMA reimbursement for said expenses, in a form approved by the City Attorney. The reimbursable expenses are described in the attached FEMA memo; however, other FEMA-reimbursable expenses may be added by future FEMA communications, and the authorizations and funding described by this ordinance shall apply to such added FEMA-reimbursable expenses. The City Manager is further authorized to direct agents to act on his behalf in executing contracts for FEMA-reimbursable expenses for Hurricane Katrina evacuees and obtaining FEMA reimbursement for said expenses, in a form approved by the City Attorney.

3.

If any provision of this ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

5.

In accordance with Article V, Section 5 of the Charter of the City of Victoria, the City Council finds a grave public necessity exists to amend the original budget to authorize the aforementioned expenditures to meet unusual and unforeseen conditions involving funding for the City's Health Plan which could not by reasonable diligence, thought and attention have been included in the original budget.

6.

In order to ensure funding is rapidly available for Hurricane Katrina evacuees, an emergency is declared, and the requirement of Article II, Section 9 of the Victoria City Charter that no ordinance shall be passed on the date of its first reading is hereby suspended, and this ordinance shall become effective immediately upon passage by this City Council and publication of the heading hereof.

PASSED, this the 20th day of September, 2005.

AYES: 6
NAYS: 1
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 20th day of September, 2005.

ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Distribution: Finance Department
Emergency Management Coordinator
Legal Department



Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

David Atmar Smith
APPROVED AS TO LEGAL FORM:
DAVID ATMAR SMITH, City Attorney
Copies Sent: **OCTOBER 25, 2005**



FEMA

September 10, 2005

TO: Jack Colley Texas State Coordinator

FROM: Gary Jones (signed) Federal Coordinating Officer, Disaster Recovery Manager

FEMA-3216-EM-TX

SUBJECT: FEMA Public Assistance

The State of Texas has requested that FEMA reimburse the State for certain costs and FEMA has taken the following actions:

ELIGIBILITY ITEMS UNDER PUBLIC ASSISTANCE

- Public Assistance will reimburse local governments for motel/hotel bills incurred when they placed eligible evacuees in motel/hotel rooms in lieu of public shelters. These people may have been placed in motels/hotels prior to September 7, 2005.
- The following procedures apply, effective September 7, 2005, for moving people from shelters to motels/hotels. The local government will call 1-800-814-3336, selection option 4, to set up an account as a jurisdiction with Texas Building Procurement. After the account is established, the jurisdiction will call 1-800-444-3654 to establish interim housing in motels/hotels for evacuees to be moved from shelters. This interim housing is an eligible expense under the Public Assistance program.
- Public Assistance will reimburse local jurisdictions for purchasing transportation by air, bus, or rail for eligible evacuees to relocate to an area of their choice. This includes charges for excess baggage. Effective September 7, 2005, use the 800 number above to arrange transportation.
- The cost of transportation for pets to go with evacuees is eligible.
- If people elect to drive their own car to relocate from a shelter to an interim housing location, they can receive funds to pay for fuel to get to their interim housing location. Like the other transportation options, the jurisdiction will need to provide the money to pay for the fuel, but the jurisdiction will be reimbursed under the Public Assistance program through the State. The amount of money provided should be based on the number of miles from the shelter location to the interim housing location at the State mileage allowance of 40.5 cents per mile. Like other self-relocation expenses, the jurisdiction needs to maintain a record of all local funds expended for fuel.
- Public Assistance will reimburse local jurisdictions for the transportation costs to reunite families living in different shelter locations.
- Local governments may lease housing units to provide interim/intermediate housing for eligible evacuees.
- Furniture for leased housing units may be rented or purchased by the local jurisdiction.
- Transportation costs incurred by local jurisdictions to transport evacuees to shelters, DRCs, etc. are eligible.
- Labor costs – drivers, shelter staff, security, etc. Eligible labor costs include:
 - Overtime for regular staff
 - Overtime for backfill for transferred regular staff
 - Regular and overtime for extra hires
 - Contract costs
- Shelter operating costs:
 - Temporary modifications made to shelter buildings including addition of recreation equipment, showers, etc. are eligible.
 - Permanent modifications to bring a building up to codes and standards are not eligible.
 - Operating costs such as power, water and phones are eligible.
 - Supplies: food, water, cots, blankets, etc. are eligible.
 - Janitorial services are eligible.
 - Medical staff for emergency care, including mental health professionals is eligible.
 - Security is eligible.
 - Prescription costs incurred by local government for evacuees in shelters are eligible. If the evacuee has insurance, insurance must be applied first.
 - Expenses incurred by shelters operated by the American Red Cross are billed to the ARC.
- Sheltering of evacuated hospital patients: Operating costs such as administration and other services are eligible, not including medical treatment.
- Churches and other faith based organizations providing shelters are not eligible applicants. The local jurisdiction directing the organization to run a shelter is the eligible applicant under Public Assistance and may seek reimbursement. The local jurisdiction should have a written agreement with the church or organization stipulating the terms of the agreement; i.e. rent for the building, personnel, food, whatever is being provided by the organization.
- Schools:
 - Public Assistance may provide temporary classroom buildings to schools that have exceeded their building capacity due to the influx of evacuees entering their school.

- Mental health counselors for schools taking in evacuees are eligible.
- School computers required because of the influx of evacuee students are eligible.
- Hiring of additional teachers and purchase of books is not eligible at this time under the PA program.
- Local governments may contract with individuals who have rental property for use as intermediate housing.
- Cost for bus passes and taxi services incurred by local jurisdictions is eligible as long as it is limited to a reasonable amount.
- Medical services:
 - Necessary, emergency medical or dental expenses are eligible for shelter evacuees.
 - Hospital costs, nursing homes, and assisted living is eligible only as emergency care; no long term care is eligible.
- Costs incurred by a local government due to the death of an evacuee are eligible under the Public Assistance program. Funeral costs are covered under the Individual Assistance program.
- Meals for evacuees staying in hotels are **not** eligible unless the local government contracts for catering services.
- Housing owned by a local government would **not** be reimbursed for rent; however, costs to operate the housing units, such as electricity, etc., would be reimbursed.
- Reimbursement for host families taking evacuees into their households is **not** eligible.
- FEMA will **not** reimburse for store vouchers or phone cards given to evacuees by local governments.
- Other items to be added as necessary.