

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

- ( ) Funds have been encumbered out of funds previously appropriated for such purpose.
- ( ) Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- ( ) Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- ( ) No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- ( ) The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- ( ) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.
- ✓ Other - Grant Funds <sup>Application</sup> Available

*C. B. Brown*  
General Bell

Date: 10-6, 2020

City Controller of the City of Houston, Texas

*msj*  
*de*  
FUND REF: 5000-1260

AMOUNT: - 0 -

ENCUMB. NO.: 6N12017-21

City of Houston, Texas Ordinance No. 2020-874

*de*  
AN ORDINANCE APPROVING AND AUTHORIZING THE SUBMISSION OF AN ELECTRONIC APPLICATION FOR AND ACCEPTANCE OF GRANT FUNDING THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE FEMA FY2019 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM ("GRANT"); DECLARING THE CITY'S ELIGIBILITY FOR SUCH GRANT; AUTHORIZING THE CHIEF OF THE HOUSTON FIRE DEPARTMENT TO ACT AS

**THE CITY'S REPRESENTATIVE IN THE APPLICATION PROCESS, TO ACCEPT AND EXPEND THE GRANT FUNDS, IF AWARDED, AND TO APPLY FOR AND ACCEPT ALL SUBSEQUENT AWARDS, IF ANY, PERTAINING TO THE PROGRAM; CONTAINING PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

\* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS, THAT:**

**Section 1.** The City of Houston's Fire Department is eligible to receive and spend these grant funds.

**Section 2.** The City Council hereby approves and authorizes the Chief of the Houston Fire Department to represent and act for the City in dealing with electronic applications, agreements or other undertakings described in the title of this Ordinance, in conformity with the Federal Emergency Management Agency ("FEMA") FY 2019 Assistance to Firefighters Grant Program.

**Section 3.** The Chief of the Houston Fire Department ("Director") is authorized and directed to represent and act for and on behalf of the City in dealing with FEMA for the purpose of this grant assistance program. The Director is the official designated as the City's representative for this grant assistance program and is authorized to execute all documents on behalf of the City of Houston, if necessary or required by FEMA with the approval, as to form, of the City Attorney. The Director is authorized to electronically apply for and electronically accept and execute all grant award documents and related documents on behalf of the City of Houston, to apply for and accept all subsequent awards, if any, pertaining to this program and to extend the budget period. The Director or any designated Deputy Director is authorized to execute all documents accepting such funds.

**Section 4.** The officials designated are specifically authorized to submit electronic applications to FEMA for grants in the format required by FEMA, and to make applications for grants in future years under this program, for the life of the program, not to exceed five years; unless City Council fails to approve, by budget or otherwise, any matching funds required.

**Section 5.** The Mayor is hereby authorized, without further City Council action, to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.

**Section 6.** The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

**Section 7.** The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said agreements without further authorization from Council.

**Section 8.** The City Council approves the City's cash match contribution of **\$448,152.00** which will be funded by **\$186,957.00** from the General Fund accounts of the Houston Fire Department and **\$261,195.00** from the Equipment Acquisition Consolidated Fund accounts of the Houston Fire Department. **IN THE EVENT OF LOSS OR MISUSE OF FEMA FUNDS, THE CITY COUNCIL ASSURES THAT FUNDS WILL BE RETURNED TO FEMA IN FULL.**

**Section 9.** There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 7<sup>th</sup> day of October, 2020.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is OCT 13 2020.

Atty. General  
City Secretary

**FUNDING SOURCE:**

**\$2,987,675.00 from Federal Government – Grant Funded (Fund 5000)**

**\$261,195.00 from Equipment Acquisition Consolidated Fund (Fund 1800) – CASH MATCH**

**\$186,957.00 from General Fund (Fund 1000) – CASH MATCH**

**\$3,435,827.00 TOTAL**

(Prepared by Legal Dept. Mary M. Head)

(MJM/arm 09/28/2020) Sr. Assistant City Attorney

(Requested by Samuel Peña, Fire Chief, Houston Fire Department)

(L.D. File No. 0352000266001)

AYE	NO	
✓		<b>MAYOR TURNER</b>
....	....	<b>COUNCIL MEMBERS</b>
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	