American Public Works Association - Florida Chapter

DISASTER RECOVERY ASSISTANCE FUND

SECTION I. INTRODUCTION

The State of Florida is geographically vulnerable to hurricanes, tornadoes, sinkhole formations, and other damage to public roads, utilities, buildings parks and other governmentally owned facilities; and

In 2004, Florida was hit with multiple hurricanes and tropical storms, including Bonnie, Charley, Frances, Ivan and Jeanne which caused substantial damage to Florida communities and disrupted the daily lives of Floridians; and

As first responders, public works personnel are often called upon to lead, develop and staff disaster recovery efforts for the good of their communities; and

It is recognized these public works personnel are often called upon to work extended hours in order to restore essential services to their communities. In doing so, such individuals often put the needs of their communities before their personal needs or the needs of their families; and

The American Public Works Association - Florida Chapter recognizes the personal sacrifices made by such individuals, and to assist those public works personnel with meeting basic personal or family needs during times of emergency, does hereby establish the American Public Works Association - Florida Chapter Disaster Recovery Assistance (DRA) Fund.

SECTION II. THE FLORIDA DISASTER RECOVERY ASSISTANCE FUND

As the result of the hurricanes experienced by the State of Florida in 2004, and recognizing the need to provide assistance to those public works employees who put the needs of others before their own personal needs, the APWA- Florida Chapter established the DRA Fund in January 2005 with an initial deposit of $35,000 from general operating funds.

It is the intent to continue to make an annual contribution to this fund from proceeds generated from the Annual Meeting & Trade Show. The annual contribution shall be determined at the Florida Chapter Executive Committee meeting immediately following the completion of the final accounting of the Annual Meeting & Trade Show. The amount of the contribution shall be determined by a simple majority vote of the Florida Chapter Executive Committee. At no time will the chapter directly solicit funds from the public or membership to fund this initiative. However, the chapter will accept voluntary contributions so long as the contributions are not earmarked for specific individuals or agencies.

SECTION III. ASSISTANCE ELIGIBILITY

It is the intent of the APWA-Florida Chapter to distribute assistance on a group-wide basis; the distribution-point being a Public Works Department or Governmental Agency. To be eligible to receive benefits provided by the DRA Fund, the individual recipients must:

A. Reside or be providing assistance in an area which is considered a “qualified disaster” as defined by IRS section 139; and
B. Is a current full or part-time employee of a recognized governmental entity engaged in the practice of Public Works.

The Director of Public Works for the impacted governmental entity or the Director of Public Works for the agency providing relief assistance to an impacted governmental entity will be responsible for ensuring only eligible employees participate in the on-site distribution of goods.

This class of beneficiaries has been determined to comprise a charitable class which is open-ended, of sufficient size and which is not organized or operated to benefit particular individuals. Membership in APWA has no bearing on eligibility or the level or type of assistance provided.

SECTION IV. TYPES OF ASSISTANCE AVAILABLE

The American Public Works Association-Florida Chapter may provide the following types of goods directly to an employee of the eligible Public Works Department or Agency or may choose to reimburse an APWA Branch for the purchase of goods as described herein as part of the DRA Fund initiative to impacted areas:

A. Examples of goods:
   i. Food and/or water;
   ii. General cleaning supplies;
   iii. General clothing items and toiletries;
   iv. Items to assist with temporary house repair such as hand tools, roof or window coverings/tarps, etc.
   v. Tools and other general items associated with removing debris such as downed trees,
   vi. General items typically associated with temporary relief from electrical outages, including flashlights and batteries, lanterns, generators, cooking utensils, first aid items and ice.

Large dollar items, such as chain saws and generators must be returned to the Chapter or designee so these items can be used for future disasters, if necessary. Non-consumable items are not intended to remain in the custody of an individual benefiting from this initiative.

SECTION V. PROCEDURE FOR REQUESTING A DISTRIBUTION FROM THE DRA

A. A request for assistance shall be initiated through the Director of Public Works for the impacted governmental entity or the Director of Public Works of the governmental agency providing relief assistance to the impacted governmental entity.

B. The request for assistance may be submitted either verbally or in written form to any District Representative of the American Public Works Association- Florida Chapter.

C. It will be the responsibility of the District Representative to communicate the request in writing either by fax or electronic form (email) to one of the following Florida Chapter Members:
   i. President
   ii. Chapter Delegate or Alternate Chapter Delegate
   iii. DRA Non-board Member Representative

D. Upon receipt of the request, it is recognized time is of the essence. Therefore, two of the three individuals listed above shall concur with the request and may verbally authorize
distribution(s) to any Branch of the Florida Chapter for Disaster Recovery Assistance in an amount not to exceed $7,500. The intent is to provide for the direct purchase or reimbursement for goods purchased to assist public works employees with their personal recovery efforts in a timely fashion.

E. For requests that may exceed the $7,500 threshold, action must be taken by the entire voting membership of the Florida Chapter Executive Committee and the DRA Non-board Member Representative. This vote may be accomplished through a regularly scheduled meeting, an emergency meeting called for discussion of this item or a telephone conference call. A simply majority of the voting members is required to authorize a distribution greater than $7,500.

F. The selection process will be objective and non-discriminatory as requests for assistance shall be approved and funded in the order in which they are formally received and to the extent funds are available.

G. In the event the DRA fund is closed, all monies shall be returned to the American Public Works Association- Florida Chapter’s general operating fund or another 501(c)(3) charitable organization with a similar purpose.

SECTION VI. ADMINISTRATION OF THE DISASTER RECOVERY ASSISTANCE FUND

A. The intent of this program is to have a mechanism for providing assistance to Public Works employees that are involved in community disaster recovery efforts and are unable to attend to their personal or family needs because of their “first responder status”.

B. This program shall be streamlined and is intended to be free of excessive paperwork that may delay distribution of assistance to those in need. However, the chapter will maintain records of the assistance granted as required by IRS Rev. Rul. 56-304m supra.

C. The DRA Fund is to be administered by the American Public Works Association- Florida Chapter, a public charity. This program may be altered or modified at any time by a simple majority vote of the voting members of the Florida Chapter Executive Committee, to the extent allowed by Florida law and IRS regulations as they apply to APWA, a 501(c)(3) charitable organization.

D. Funds received and distributed are to be under the oversight of the American Public Works Association- Florida Chapter Treasurer. A separate accounting shall be kept of this Fund.

E. At no time shall DAR funds be made payable to an individual nor will cash be allowed to be distributed to an individual, regardless of form (i.e. Debit Cards). Funds may only be made payable to the Chapter or a Branch of the Florida Chapter specifically for the purpose of directly purchasing the goods identified in section IV of this document or the reimbursement there of. The reimbursement of goods purchased by an individual member or chapter/branch representative is not permissible under any circumstance, even if ultimately delivered to an eligible recipient, agency or municipality.

F. Original Itemized Receipts for all items ultimately purchased must be maintained by the Chapter Treasurer to properly support the items purchased and later distributed to Public Works employees identified in section III of this document. The term “itemized” means the receipt must reflect a complete listing of the actual items purchased. A credit card receipt or summary receipt reflecting only the total value of the items purchased is not acceptable.
SECTION VII. INDEMNIFICATION

The governmental entity requesting and/or receiving assistance shall indemnify and hold the American Public Works Association- Florida Chapter, its officers, employees and members harmless, to the extent permitted by Florida Law, from and against any and all claims, demands, suits, actions, damages, and causes of action related to or arising out of or in any way connected with providing goods to assist those Public Works personnel with meeting basic personal or family needs during times of emergency.

IN WITNESS WHEREOF, this action has been duly executed this ____ day of March, 2008 by official action of the American Public Works Association-Florida Chapter.

BY:

[Signature]

APWA-Florida Chapter President

ATTEST:

[Signature]

APWA- Florida Chapter Secretary