

Summary
Board Bill Number 2
Primary Sponsor: President Lewis Reed
April 20, 2021

The United States government recently has enacted legislation appropriating additional funding for City activities and expenses related to the COVID-19 pandemic. In this Ordinance, the Board of Aldermen authorizes the Mayor or his or her designees to apply for and accept funds received from the American Rescue Plan Act of 2021, Pub. L. No. 117-2, § 9901 (March 11, 2021), directs the Comptroller to establish a new account for the receipt of funds (solely to the extent received), appropriates the funds (solely to the extent received); containing a severability clause; and containing an emergency clause. Appropriation of this funding will greatly benefit the public by providing additional resources for addressing housing instability and public health and welfare.

BOARD BILL NUMBER 2 INTRODUCED BY: PRESIDENT LEWIS REED

1 An Ordinance recommended by the Board of Estimate and Apportionment and
2 authorizing the Mayor, or her designees, to apply for and accept funds pursuant to Federal
3 appropriations under the American Rescue Plan Act of 2021, Pub. L. No. 117-2, § 9901 (March
4 11, 2021), directing the Comptroller to establish a new account for the receipt of funds, to the
5 extent received, appropriating the funds, to the extent received; containing a severability clause;
6 and containing an emergency clause.

7 **WHEREAS**, Article XIII, Section 14-C(c) of the Charter of the City of St. Louis
8 provides that “whenever any malignant, infectious, or contagious disease is threatened or is
9 prevalent in the city, on proclamation thereof by the mayor and with the approval of the mayor
10 and the director of health and hospitals, the health commissioner may take such steps, use such
11 measures, and incur such expense as he deems necessary to avoid, suppress, or mitigate such
12 disease until the mayor proclaims the need therefor ended, notwithstanding anything to the
13 contrary in this charter or in any ordinance”;

14 **WHEREAS**, on March 13, 2020, the Mayor issued a proclamation that a malignant,
15 infectious, or contagious disease, namely COVID-19, was threatened in the City;

16 **WHEREAS**, on March 13, 2020 and thereafter, the Director of Health and Hospitals and
17 Health Commissioner issued Orders to the public restricting activities, supervised the medical
18 testing and quarantine activities to reduce contagion, and entered into contracts for emergency
19 purchases of supplies and provision of services to avoid, suppress, and mitigate COVID-19;

1 **WHEREAS**, the Department of Health and Hospitals and other City Departments and
2 agencies have incurred and continue to incur substantial expenses due to COVID-19 related
3 actions, and such expenses remain unanticipated;

4 **WHEREAS**, the City anticipates the receipt of up to Two Hundred Seventy-Five Million
5 Dollars (\$275,000,000.00) of relief funds (the Initial ARPA Funds) from the Federal
6 Government anticipated to be received within approximately the next sixty days pursuant to the
7 American Rescue Plan Act of 2021, Pub. L. No. 117-2, § 9901 (March 11, 2021) (the
8 Coronavirus Local Fiscal Recovery Fund);

9 **WHEREAS**, the City anticipates receipt of up to an additional Two Hundred Seventy-
10 Five Million Dollars (\$275,000,000.00) of relief funds (the Additional ARPA Funds, and
11 together with the Initial ARPA Funds, collectively the ARPA Funds) from the Federal
12 Government anticipated to be received in calendar year 2022 pursuant to the Coronavirus Local
13 Fiscal Recovery Fund;

14 **WHEREAS**, the Federal Government has issued guidance for the American Rescue Plan
15 Act of 2021, and the Federal Government may issue additional guidance on the use of such relief
16 funding in the future;

17 **WHEREAS**, the use of ARPA Funds must adhere to Federal guidance that has been and
18 will be issued on the use of ARPA Funds and the City’s associated requirements;

19 **WHEREAS**, monies acquired under the Coronavirus Local Fiscal Recovery Fund can be
20 used “(A) to respond to the public health emergency with respect to the Coronavirus Disease
21 2019 (COVID-19) or its negative economic impacts, including assistance to households, small
22 businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

1 (B) to respond to workers performing essential work during the COVID–19 public health
2 emergency by providing premium pay to eligible workers of the metropolitan city,
3 nonentitlement unit of local government, or county that are performing such essential work, or
4 by providing grants to eligible employers that have eligible workers who perform essential work;
5 (C) for the provision of government services to the extent of the reduction in revenue of such
6 metropolitan city, nonentitlement unit of local government, or county due to the COVID–19
7 public health emergency relative to revenues collected in the most recent full fiscal year of the
8 metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
9 (D) to make necessary investments in water, sewer, or broadband infrastructure”; and

10 **WHEREAS**, there is an immediate and urgent need to meet the governmental, human,
11 and business crises as quickly and effectively as possible.

12 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

13 **SECTION ONE.** The City, by and through the Mayor, or her designees, is hereby
14 authorized to apply for and accept funding from the American Rescue Plan Act of 2021, Pub. L.
15 No. 117-2, § 9901 (March 11, 2021) (the Coronavirus Local Fiscal Recovery Fund), to the full
16 extent permitted under said Act.

17 **SECTION TWO.** The Comptroller of the City of St. Louis is hereby authorized and
18 directed to establish an account (Rescue Fund), in which shall be deposited all funds received by
19 the City pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2, § 9901 (March
20 11, 2021) Coronavirus Local Fiscal Recovery Fund. All monies received hereby shall be
21 deposited in this fund upon receipt, in accordance with federal law and regulations, and shall be

1 appropriated, to the extent funds are received, in accordance with the provisions of this
2 ordinance.

3 **SECTION THREE.** There are hereby appropriated the sum of _____ Million
4 Dollars (\$XX,000,000.00) of the Rescue Fund to the Department of Human Services, to the
5 extent funds are received. The Director of the Department of Human Services is hereby
6 authorized to make, negotiate, and execute any and all contracts or other documents on behalf of
7 the City to expend such funds, to the extent such funds are received, and to expend such funds,
8 on behalf of the City for purposes allowed under the Coronavirus Local Fiscal Recovery Fund,
9 which shall include _____ Million Dollars (\$XX,000,000.00) for rental and mortgage
10 assistance to process applications for rental and mortgage assistance, _____ Million Dollars
11 (\$XX,000,000.00) to fund current shelters for the homeless, _____ Million Dollars
12 (\$XX,000,000.00) to fund the expansion of new shelter beds, _____ Million Dollars
13 (\$XX,000,000.00) to fund a 24-hour, 7-days per week drop-in navigation center, _____
14 Million Dollars (\$XX,000,000.00) to provide utility assistance to citizens, _____ Million
15 Dollars (\$XX,000,000.00) to fund legal and mediation services to assist renters impacted by the
16 pandemic, _____ Million Dollars (\$XX,000,000.00) to cover costs of a sobering center,
17 _____ Million Dollars (\$XX,000,000.00) to fund Rideshare rides for seniors, and
18 _____ Million Dollars (\$XX,000,000.00) to fund the delivery of groceries for senior
19 citizens. The Comptroller is authorized and directed to issue warrants upon the City Treasury for
20 payment of all expenditures, to the extent funds are received, authorized in this Section. The total
21 amount of Rescue Funds for which the Comptroller may issue warrants shall not exceed the total
22 appropriation of Rescue Funds herein.

1 **SECTION FOUR.** There are hereby appropriated the sum of _____ Million Dollars
2 (\$XX,000,000.00) of the Rescue Fund to the Affordable Housing Commission, to the extent
3 funds are received, to fund brick and mortar applications to expand affordable housing units with
4 supportive service units. The Executive Director of the Affordable Housing Commission or his
5 or her designee is hereby authorized to make, negotiate, and execute any and all contracts or
6 other documents on behalf of the City to expend such funds, to the extent such funds are
7 received, and to expend such funds, on behalf of the City for purposes allowed under the
8 Coronavirus Local Fiscal Recovery Fund. The Comptroller is authorized and directed to issue
9 warrants upon the City Treasury for payment of all expenditures, to the extent funds are
10 received, authorized in this Section. The total amount of Rescue Funds for which the
11 Comptroller may issue warrants shall not exceed the total appropriation of Rescue Funds herein.

12 **SECTION FIVE.** There are hereby appropriated the sum of _____ Million Dollars
13 (\$XX,000,000.00) of the Rescue Fund to the St. Louis Development Corporation, to the extent
14 funds are received. The Executive Director of the St. Louis Development Corporation or his or
15 her designee is hereby authorized to make, negotiate, and execute any and all contracts or other
16 documents on behalf of the City to expend such funds, to the extent such funds are received, and
17 to expend such funds, on behalf of the City for purposes allowed under the Coronavirus Local
18 Fiscal Recovery Fund, which shall include _____ Million Dollars (\$XX,000,000.00) for the
19 purposes of supplementing current Prop NS appropriations to stabilize and sell LRA properties,
20 _____ Million Dollars (\$XX,000,000.00) to establish a program with private and non-profit
21 organizations (STL 2030 Jobs Plan), and _____ Million Dollars (\$XX,000,000.00) for the
22 purpose of providing grants of no more than _____ Thousand Dollars (\$XX,000.00) per business

1 to small businesses to offset current payroll costs and to allow businesses to apply for forgivable
2 loans of no more than _____ Thousand Dollars (\$XX,000.00) per business to expand and
3 modify space for outdoor seating and to rework spaces for improving social distancing in
4 business operations. The Comptroller is authorized and directed to issue warrants upon the City
5 Treasury for payment of all expenditures, to the extent funds are received, authorized in this
6 Section. The total amount of Rescue Funds for which the Comptroller may issue warrants shall
7 not exceed the total appropriation of Rescue Funds herein.

8 **SECTION SIX.** There are hereby appropriated the sum of _____ Million Dollars
9 (\$XX,000,000.00) of the Rescue Fund to the Department of Public Safety, to the extent funds are
10 received. The Director of the Department of Public Safety or his or her designee is hereby
11 authorized to make, negotiate, and execute any and all contracts or other documents on behalf of
12 the City to expend such funds, to the extent such funds are received, and to expend such funds,
13 on behalf of the City for purposes allowed under the Coronavirus Local Fiscal Recovery Fund,
14 which shall include _____ Million Dollars (\$XX,000,000.00) to the Building Division for
15 the removal of derelict buildings which are structurally unsafe, likely to contain significant lead
16 hazards, or harbor the opportunity for criminal activity, leading to further unsafe conditions in
17 the community, and _____ Million Dollars (\$XX,000,000.00) to fund upgrades to
18 Corrections facilities. The Comptroller is authorized and directed to issue warrants upon the City
19 Treasury for payment of all expenditures, to the extent funds are received, authorized in this
20 Section. The total amount of Rescue Funds for which the Comptroller may issue warrants shall
21 not exceed the total appropriation of Rescue Funds herein.

1 **SECTION SEVEN.** There are hereby appropriated the sum of _____ Million
2 Dollars (\$XX,000,000.00) of the Rescue Fund to the Department of Health, to the extent funds
3 are received. The Director of the Department of Health or his or her designee is hereby
4 authorized to make, negotiate, and execute any and all contracts or other documents on behalf of
5 the City to expend such funds, to the extent such funds are received, and to expend such funds,
6 on behalf of the City for purposes allowed under the Coronavirus Local Fiscal Recovery Fund,
7 which shall include _____ Million Dollars (\$XX,000,000.00) to fund the 911 diversion
8 program “Cops and Clinicians” to expand said program city-wide and _____ Million
9 Dollars (\$XX,000,000.00) to fund childcare services and facilities. The Comptroller is
10 authorized and directed to issue warrants upon the City Treasury for payment of all expenditures,
11 to the extent funds are received, authorized in this Section. The total amount of Rescue Funds for
12 which the Comptroller may issue warrants shall not exceed the total appropriation of Rescue
13 Funds herein.

14 **SECTION EIGHT.** There are hereby appropriated the sum of _____ Million
15 Dollars (\$XX,000,000.00) of the Rescue Fund to the Department of Parks, Recreation and
16 Forestry, to the extent funds are received. The Director of the Department of Parks, Recreation
17 and Forestry or his or her designee is hereby authorized to make, negotiate, and execute any and
18 all contracts or other documents on behalf of the City to expend such funds, to the extent such
19 funds are received, and to expend such funds, on behalf of the City for purposes allowed under
20 the Coronavirus Local Fiscal Recovery Fund, which shall include _____ Million Dollars
21 (\$XX,000,000.00) to fund critical infrastructure improvements for parks and recreation centers.
22 The Comptroller is authorized and directed to issue warrants upon the City Treasury for payment

1 of all expenditures, to the extent funds are received, authorized in this Section. The total amount
2 of Rescue Funds for which the Comptroller may issue warrants shall not exceed the total
3 appropriation of Rescue Funds herein.

4 **SECTION NINE.** There are hereby appropriated the sum of _____ Million Dollars
5 (\$XX,000,000.00) of the Rescue Fund to the Department of Public Utilities, to the extent funds
6 are received. The Director of the Department of Public Utilities or his or her designee is hereby
7 authorized to make, negotiate, and execute any and all contracts or other documents on behalf of
8 the City to expend such funds, to the extent such funds are received, and to expend such funds,
9 on behalf of the City for purposes allowed under the Coronavirus Local Fiscal Recovery Fund,
10 which shall include _____ Million Dollars (\$XX,000,000.00) to fund critical infrastructure
11 upgrades for water infrastructure. The Comptroller is authorized and directed to issue warrants
12 upon the City Treasury for payment of all expenditures, to the extent funds are received,
13 authorized in this Section. The total amount of Rescue Funds for which the Comptroller may
14 issue warrants shall not exceed the total appropriation of Rescue Funds herein.

15 **SECTION TEN.** There is hereby appropriated the sum of _____ Million Dollars
16 (\$XX,000,000.00) of the Rescue Fund to the General Revenue Fund, to the extent funds are
17 received, for the replacement of general revenue lost during the COVID-19 pandemic due to the
18 downturn in business and employment.

19 **SECTION ELEVEN.** There is hereby appropriated the sum of _____ Million
20 Dollars (\$XX,000,000.00) of the Rescue Fund to the Budget Division, to the extent funds are
21 received. The Director of the Budget Division, or his or her designees, is hereby authorized to
22 make, negotiate, and execute any and all contracts or other documents on behalf of the City to

1 expend such funds, to the extent such funds are received, and to expend such funds, on behalf of
2 the City for purposes allowed under the Coronavirus Local Fiscal Recovery Fund, which shall
3 include _____ Million Dollars (\$XX,000,000.00) to fund rolling stock purchases and
4 _____ Million Dollars (\$XX,000,000.00) for the payment of administrative costs. The
5 Comptroller is authorized and directed to issue warrants upon the City Treasury for payment of
6 all expenditures, to the extent funds are received, authorized in this Section. The total amount of
7 Rescue Funds for which the Comptroller may issue warrants shall not exceed the total
8 appropriation of Rescue Funds herein.

9 **SECTION TWELVE.** Severability Clause. It is hereby declared to be the intention of
10 the Board of Aldermen that each and every part, section and subsection of this Ordinance shall
11 be separate and severable from each and every other part, section and subsection hereof and that
12 the Board of Aldermen intends to adopt each said part, section and subsection separately and
13 independently of any other part, section and subsection. In the event that any part, section or
14 subsection of this Ordinance shall be determined to be or to have been unlawful or
15 unconstitutional, the remaining parts, sections and subsections shall be and remain in full force
16 and effect, unless the court making such finding shall determine that the valid portions standing
17 alone are incomplete and are incapable of being executed in accord with the legislative intent.

18 **SECTION THIRTEEN.** Emergency Clause. Delay in receipt and appropriation of these
19 monies will increase threats to the public health and welfare by causing delay in responding to
20 the COVID-19 crisis. This being an ordinance appropriated for emergency funding for current
21 expenses of the City government, it is hereby declared to be an emergency measure within the

- 1 meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and shall
- 2 become effective immediately upon its passage and approval by the Mayor.