

**ORDINANCE #68856**  
**Board Bill No. 272**

An Ordinance authorizing First Amendments to certain leases with Grace Hill Neighborhood Health Centers, Inc. ("Grace Hill") pertaining to changes in use and authorizing a federal interest required by The Department of Health and Human Services ("HHS") under a certain grant authorization and containing an emergency clause.

**WHEREAS**, the City of St. Louis ("City") by Ordinance No. 66745 entered into two (2) Lease Agreements with Grace Hill, both dated October 21, 2005, to secure and provide primary healthcare, wellness, child day care, adult day care and other social services and to lease the operation of two (2) medical clinics in the City at 2200 Lemp or Max C. Starkloff Center and 1717 Biddle or Courtney Health Center ("Medical Clinics"); and

**WHEREAS**, Grace Hill desires to improve the Medical Clinics and to add certain related administrative functions and its required information systems in addition to the aforementioned services; and

**WHEREAS**, Grace Hill has secured a certain grant from HHS, Award No. C8ACS21253-01-00, in the amount of approximately TWO MILLION ONE HUNDRED FORTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-ONE DOLLARS (\$2,147,821.00) for improvements to the Medical Clinics ("HHS Grant"); and

**WHEREAS**, HHS requires Grace Hill and the City to grant a federal interest in order to obtain the HHS Grant in the nature of restrictive covenant wherein the Medical Clinics may not be used for any purpose inconsistent with its current use as presently leased and amended herein and may not mortgage or sell same, and;

**WHEREAS**, the City is willing to allow the improvements and changes in use and to grant a federal interest with the understanding that said Medical Clinics shall continue to provide the secured and provided services, as described herein.

**SECTION ONE.** Paragraph 2 of each Lease Agreement between the City and Grace Hill is hereby amended by adding the following sentence at the end:

In addition to the uses described herein, Lessee may provide for certain related administrative functions and for its required information systems.

**SECTION TWO.** In consideration of the improvements at each medical clinic, the City hereby authorizes its Comptroller or her designee to execute a Notice of Federal Interest, which shall state as follows:

The Notice of Award for this grant includes conditions on use of the aforementioned property and provides for a continuing Federal interest in the property. Specifically, the property may not be (1) used for any purpose inconsistent with the statute and any program regulations governing the award under which the property was acquired; (2) mortgaged or otherwise used as collateral without the written permission of the Associate Administrator, Office of Federal Assistance Management (OFAM), Health Resources and Services Administration (HRSA); or (3) sold or transferred to another party without the written permission of the Associate Administrator, OFAM, HRSA. These conditions are in accordance with the statutory provisions set forth in Affordable Care Act, Title 45 CFR part 74 or 92 as applicable, the HHS Grants Policy Statement, and other terms and conditions of award.

These grant conditions and requirements cannot be nullified or voided though a transfer of ownership. Therefore, advance notice of any proposed change in usage or ownership must be provided to the Associate Administrator, OFAM, HRSA,

**SECTION THREE.** Emergency clause.

This being an ordinance for the preservation of public peace, health, safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

**Approved: February 14, 2011**