

BILL No 1251

ORDINANCE NO. 1163

Sponsor: Councilman Krank

AN ORDINANCE REQUESTING THAT ST. LOUIS COUNTY DISTRIBUTE \$47 MILLION OF CARES ACT FUNDS ON A PER CAPITA BASIS TO THE MUNICIPALITIES WITHIN THE COUNTY TO BE USED FOR ELIGIBLE EXPENSES, AUTHORIZING THE MAYOR OF THE CITY OF THE CITY OF BLACK JACK, MISSOURI, TO ACCEPT CARES ACT FUNDING AND EXECUTE A MUNICIPALITY RELIEF PROGRAM FUNDING AGREEMENT, AND CONFIRMING AGREEMENT TO INDEMNIFY AND HOLD HARMLESS ST. LOUIS COUNTY FROM SUCH DISTRIBUTION

WHEREAS, the United States Congress enacted the Coronavirus Aid, Relief and Economic Security Act (the “CARES Act”) providing a \$2 trillion economic relief package to provide assistance for American workers, families, and small businesses; to provide assistance to state and local governments; and to preserve jobs for American industry; and

WHEREAS, the State of Missouri received \$1.9 billion from The CARES Act, a portion of which was subsequently distributed in part to Missouri counties proportionally based on population, except those counties that received a direct payment under the CARES Act, along with a recommendation from the Governor that counties that received funds directly from the State of Missouri in turn distribute CARES Act funds to local governments located within their jurisdictions; and

WHEREAS, the US Department of the Treasury distributed funds from the CARES Act proportionally based on 2019 census data directly to certain local governments, including cities and counties with a population greater than 500,000 and to state governments; and

WHEREAS, based on St Louis County’s population, which includes the residents of municipalities located in the County, the County received \$173.5 million directly from the United States Treasury designated to cover necessary expenses incurred due to the public health emergency caused by the COVID-19 pandemic; and

WHEREAS, the US Department of the Treasury has issued eligibility guidelines for use of the CARES Act funds which includes, in part, that payroll expenses for public safety may be presumed to be costs for services substantially dedicated to mitigation or responding to the COVID-19 public health emergency from and after the effective date of the CARES Act from March 27, 2020 thru December 30, 2020 (the “Eligibility Period”); and

WHEREAS, the County Executive has allocated \$47 million for distribution to municipalities for use for eligible expenditures.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK JACK, AS FOLLOWS:

1. The City of Black Jack hereby requests a per capita distribution of the above referenced \$47 million allocated by St. Louis County for eligible COVID-19 related expenses.
2. The Mayor of the City of Black Jack Missouri, is hereby authorized to accept Coronavirus Aid, Relief and Economic Security Act (the "CARES Act") funding from and execute a Municipality Relief Program Funding Agreement with St. Louis County, Missouri, for and on behalf of the City of Black Jack.
3. Upon receipt of such funds and to the extent thereof, the City of Black Jack agrees to indemnify and hold harmless St. Louis County from and against any claims of misuse thereof and repay such funds (or portion thereof) immediately upon notice that the U.S. Treasury Department has made a final determination that such distribution (or portion thereof) was not lawful pursuant to its above referenced guidance or otherwise.
4. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 23rd day of SEPTEMBER, 2020.

Norman C McCourt,
Mayor

ATTEST:

Karen E. Robinson, MRCC-S/CMC
City Clerk
Executive Assistant to the Mayor

APPROVED THIS 23rd day of SEPTEMBER, 2020.

APPROVED AS TO LEGAL FORM:

Sheldon K. Stock, Special Counsel