



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: April 25, 2022

TO: President Heather Graham and Members of City Council

VIA: Marisa Stoller, City Clerk

CC: Mayor Nicholas A. Gradisar

FROM: Daniel C. Kogovsek, City Attorney

SUBJECT: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN THREE SUBRECIPIENT AGREEMENTS BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND (1) LICENSED DENTAL HYGIENE CARE, A COLORADO NONPROFIT CORPORATION; (2) YBARRA'S BOXING CLUB, A COLORADO NONPROFIT CORPORATION; AND (3) THE JUNETEENTH ORGANIZATION OF PUEBLO, INC., A COLORADO NONPROFIT CORPORATION; AS AUTHORIZED BY SECTION 603 (c)(1)(A) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF ONE HUNDRED FORTY-ONE THOUSAND ONE HUNDRED TWENTY-SIX DOLLARS (\$141,126) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF

SUMMARY:

This Ordinance approves and authorizes the Mayor to sign 3 Subrecipient Agreements with local entities to implement 3 local projects, as authorized by Section 603(c)(1)(A) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6. Funds for the 3 projects, in the amount of \$141,126.00, will be paid out of Project No. CI2113, the American Rescue Plan Act.

PREVIOUS COUNCIL ACTION:

By Ordinance No. 9931, approved on May 17, 2021, the City Council established Project No. CI2113 and budgeted and appropriated up to \$36.7 million in funds which were expected to be distributed to the City from the American Recovery Plan Act ("ARPA") for covered costs and eligible expenses to be incurred during the period which began on March 3, 2021 until December 31, 2024 (to be expended by December 31, 2026).

BACKGROUND:

The attached Ordinance awards ARPA funds for the following 3 local projects:

	Organization	Project	Amount of Award
1	Licensed Dental Hygiene Care	Diagnostic, Preventive and Restorative Dental Care	\$ 114,116.00
2	Ybarra's Boxing Club	Boxing Ring	17,000.00
3	Juneteenth Organization of Pueblo, Inc.	College Scholarships	10,000.00
	Total		\$ 141,126.00

FINANCIAL IMPLICATIONS:

Three local entities will receive \$141,126.00 in ARPA funds from Project No.CI2113.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Ordinance.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

City Council could decide not to support or fund the 3 local projects.

RECOMMENDATION:

Approval of the Ordinance

Attachments:

- Proposed Ordinance
- 3 Proposed Subrecipient Agreements.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN THREE SUBRECIPIENT AGREEMENTS BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND (1) LICENSED DENTAL HYGIENE CARE, A COLORADO NONPROFIT CORPORATION; (2) YBARRA'S BOXING CLUB, A COLORADO NONPROFIT CORPORATION; AND (3) THE JUNETEENTH ORGANIZATION OF PUEBLO, INC., A COLORADO NONPROFIT CORPORATION; AS AUTHORIZED BY SECTION 603 (c)(1)(A) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF ONE HUNDRED FORTY-ONE THOUSAND ONE HUNDRED TWENTY-SIX DOLLARS (\$141,126) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF

RECITALS

The following recitals are incorporated in and made a part of this Ordinance.

WHEREAS, on March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plan Act (hereinafter "ARPA"); and

WHEREAS, on May 10, 2021, the U.S. Treasury issued the Interim Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations ("CFR"); and

WHEREAS, on January 6, 2022, the U.S. Treasury issued, with an effective date of April 1, 2022, the Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations ("CFR"); and

WHEREAS, under ARPA Section 603 (c)(1)(A) and the Final Rule 31 CFR 35.6 recipients may use Coronavirus Local Fiscal Recovery ("CLFR") Funds to award grants to nonprofit organizations that are responding to the negative economic impacts of the COVID-19 public health emergency; and

WHEREAS, under ARPA Section 603 (c)(1)(A) and the Final Rule 31 CFR 35.6 the City may use CLFR Funds to the implement the 3 programs described in the 3 attached Subrecipient Agreements; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO that:

SECTION 1.

The following 3 Subrecipient Agreements ("Agreements") between and the City of Pueblo, a Colorado municipal corporation and the following entities, dated May 9, 2022, attached hereto, having been approved as to form by the City Attorney, are hereby approved:

	Organization	Project	Amount of Award
1	Licensed Dental Hygiene Care	Diagnostic, Preventive and Restorative Dental Care	\$ 114,116.00
2	Ybarra's Boxing Club	Boxing Ring	17,000.00
3	Juneteenth Organization of Pueblo, Inc.	College Scholarships	10,000.00
	Total		\$ 141,126.00

SECTION 2.

The Mayor is hereby authorized to execute said Agreements for and on behalf of the City and the City Clerk is authorized to affix the seal of the City thereto and attest same.

SECTION 3.

Funds in the amount of \$141,126.00 are hereby authorized to be paid from Project No. CI2113 – American Rescue Plan Act, for purposes of funding the 3 projects described in the Agreements.

SECTION 4.

The officers and staff of the City are authorized to perform any and all acts consistent with this Ordinance and the attached Agreements to implement the policies and procedures described herein.

SECTION 5.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

- Approved on _____.
- Disapproved on _____ based on the following objections:

Mayor

Action by City Council After Disapproval by the Mayor:

- Council did not act to override the Mayor's veto.
- Ordinance re-adopted on a vote of _____, on _____
- Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

City Clerk