

RESOLUTION # 3527

2020

Introduced by: City Manager Irvin
of the City of Berkeley, MO

A RESOLUTION Requesting that Municipalities within St. Louis County Receive an Equitable Distribution of the \$175 Million in Funding Received by St. Louis County from the Coronavirus Aid, Relief, and Economic Security Act to Reimburse Municipalities for Actual Public Safety Costs Incurred Related to COVID-19

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

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

WHEREAS, the State of Missouri received \$1.9 billion dollars 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, no municipality in St. Louis County (the "County") has received any CARES Act funds from the Federal Government, the State of Missouri or the County; and

WHEREAS, based on St. Louis County's population numbers, which necessarily includes the residents of municipalities located in the County, the County received \$175 million directly from the United States Treasury designed to cover necessary expenses that are incurred due to the public health emergency caused by the COVID-19 pandemic; and

WHEREAS, the County Council has appropriated the entirety of the \$175 million in funding from the CARES Act and has given the County Executive absolute authority overuse and distribution of these funds without further review or oversight by the County Council; 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 01, 2020 thru December 31, 2020 (the "Eligibility Period"); and

WHEREAS, the County does not provide any public safety fire services to the residents of St. Louis County; and

WHEREAS, the County provides non-contracted law enforcement services only to the unincorporated areas of the County, which makes up 32.15% of the County's total population; and

WHEREAS, 67.85% of the residents of the County are serviced by municipal police departments or contracted law enforcement services paid for out of municipal funds; and

WHEREAS, to date, the City of Berkeley has incurred public safety payroll costs for fire, EMS and law enforcement during the Eligibility Period in the amount of \$1,007,747.10 for payroll and related fringe benefit costs and all such costs are presumed by the US Department of the Treasury to be COVID related expenses during the Eligibility Period; and

WHEREAS, the \$175 million in CARES funding received by the County should justly be shared pro rata with municipalities based on their population inasmuch as all levels of government including both County and municipal governments are incurring COVID related public safety expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BERKELEY, MISSOURI AS FOLLOWS:

SECTION 1. That if any portion of the \$175 million in funding received by St. Louis County under the CARES Act is expended by the St. Louis County Executive as reimbursement for law enforcement expenses, including but not limited to payroll and benefits for the St. Louis County Police Department during the Eligibility Period, a proportional amount should be paid to the municipalities who provide the majority of law enforcement services to the citizens of St. Louis County. Further, such reimbursement for public safety expenses should necessarily include all municipal law enforcement, EMS, and fire services whether those services are provided directly by the municipality or by contract with another public safety agency.

SECTION 2. This Resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this day of 2020

ATTEST:

Mayor Theodore Hoskins

Deanna Jones, City Clerk

Final Roll Call:

Approved As To Form:
Donnell Smith, City Attorney

Mayor Hoskins	___ by Video Vote
Councilwoman Hoskins	___ by Video Vote
Councilwoman Mitchell	___ by Video Vote
Councilwoman Williams	___ by Video Vote
Councilwoman-At-Large Greene	___ by Video Vote
Councilman Hindeleh	___ by Video Vote
Councilwoman Anthony	___ by Video Vote