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**OFFICE**

# MEMO

To: HARRISBURG CITY COUNCIL  
From: Michael Parker, City Clerk  
LEGISLATIVE APPROVAL FORM

Date: June 26, 2023

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. 5 -2023      RESOLUTION NO. -2023

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR' S OFFICE ON:

Tiffanie E. Baldock  
Sr. Deputy City Solicitor


06/26/2023  
Date

Requested by Department/Bureau: MAYOR / B.A. / FINNANCE

Department/Bureau Contact Person: HARTMAN / KELLEY

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by: 

Date: 6/26/2023

BILL NO 5 - 2023

Moved by: Councilwoman Green

An Ordinance appropriating American Rescue Plan Act funding from the United States Department of Treasury **FOR REVENUE REPLACEMENT** and authorizing **AND DIRECTING** certain expenditureS of such funds.

**WHEREAS**, the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, with the pandemic having now caused severe, intertwined public health and economic crises; and

**WHEREAS**, in March 2021, as the crises continued, a sweeping federal law was enacted to assist in the amelioration of the many impacts of the pandemic on our society, through Public Law 117-2, the American Rescue Plan Act of 2021 (the "ARPA"); and

**WHEREAS**, through ARPA, Congress established the Coronavirus State and Local Fiscal Recovery Funds (the "SLFRF") to provide state, local, and Tribal governments with the resources needed to respond to the pandemic and its economic effects and to build a stronger, more equitable economy during the recovery; and

**WHEREAS**, the U.S. Department of the Treasury ("Treasury") issued an interim final rule implementing the SLFRF program on May 10, 2021 and initially disbursed over \$240 billion to state, local, and Tribal governments; and

**WHEREAS**, on January 27, 2022, Treasury published the Final Rule for the SLFRF program, thereby implementing the ARPA statutory provisions on eligible and ineligible uses of SLFRF funds, and making several changes to the provisions of the 2021 interim final rule; and

25           **WHEREAS**, the City of Harrisburg qualifies as a larger metropolitan area under the  
26 applicable federal guidelines and distribution formula, resulting in an award to the City in the  
27 amount of \$47,073,625.00, half of which was remitted to the City in May 2021; and

28           **WHEREAS**, in February 2022, the Mayor sponsored several public meetings to discuss  
29 the potential uses of SLFRF funding and gain public input on the preferred uses of this one-time  
30 source of funds; and

31           **WHEREAS**, on June 14, 2022, the Council for the City of Harrisburg unanimously voted  
32 to adopt Bill 7-2022, which was an Ordinance appropriating initial American Rescue Plan Act  
33 funding from the United States Department of Treasury and authorizing budgetary expenditures  
34 in the sum of \$15,623,000.00, with \$8,863,000.00 allocated for general fund revenue replacement,  
35 with an additional \$5,500,000.00 in direct expenditure to fund an emergency replacement of the  
36 Heating, Ventilation and Air Conditioning (HVAC) system at the Public Safety Building for the  
37 City of Harrisburg and \$1,260,000.00 in direct expenditure to fund one-time bonus payments to  
38 eligible uniformed personnel in the Harrisburg Fire Bureau and Harrisburg Bureau of Police,  
39 including plain clothes officers and uniformed management staff; and

40           **WHEREAS**, on December 29, 2022, the President signed the *Consolidated*  
41 *Appropriations Act, 2023*, an omnibus spending bill that included provisions that provide  
42 additional flexibility for States, Tribes, and units of local government to spend their respective  
43 allocations of SLFRF funding, providing new eligible SLFRF grant expenditures to include: (i)  
44 spending to provide emergency relief from natural disasters, including temporary emergency  
45 housing, food assistance, financial assistance for lost wages, or other immediate needs; (ii)  
46 spending on transportation infrastructure eligible projects and matching funds; and (iii) spending

47 on any program, project, or service that would also be eligible under HUD's Community  
48 Development Block Grant program, now known as ARPA Flex; and

49 **WHEREAS**, the authorization for additional ARPA Flex eligible uses awaits additional  
50 guidance from the U.S. Department of Treasury, but come in addition to approved uses for SLFRF  
51 funds for revenue replacement for fiscal losses suffered as defined by the Final Rule under a  
52 formula issued by Treasury and a wide array of potential direct uses to improve aspects of public  
53 health and safety that should diminish the societal harms realized through the pandemic; **and**

54 **Whereas, in the course of reviewing the proposed uses of ARPA funds in the initial**  
55 **legislation introduced at the Legislative Session of February 28, 2023, the Council of the City**  
56 **of Harrisburg undertook a series of townhall meetings to obtain further public input to**  
57 **determine what amendments, if any, should be considered for adoption of the 2023 ARPA**  
58 **budget; and**

59 **Whereas, the intent of this budget ordinance is to: (1) appropriate all remaining**  
60 **ARPA funds for use as REVENUE REPLACEMENT; (2) authorize and direct that those**  
61 **REVENUE REPLACEMENT funds be transferred to the City's General Fund to provide**  
62 **for programs, capital projects, and associated administrative costs, at such time and in a**  
63 **manner to comply with applicable federal regulatory restrictions and formulas to determine**  
64 **annual eligible REVENUE REPLACEMENT entitlement; (3) authorize and direct those**  
65 **transfers occur over the course of the City's 2023, 2024, and 2025 Budget Years, the timing**  
66 **and details thereof to be included in Proposed Budgets or Budget Reallocations during that**  
67 **period; and (4) subject to prior approved General Fund appropriations, authorize and direct**  
68 **that the programs and projects listed in the adopted Final ARPA Budget Ordinance shall be**  
69 **recognized as intended uses of the City's replaced revenues.**

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**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME, as follows:**

Ch. 1-201.1.C PROVIDES "AMENDMENTS TO EXISTING LEGISLATION ARE TO BE UNDERLINED; DELETIONS ARE TO BE INDICATED BY [BRACKETING]. ADDITIONS TO PROPOSED LEGISLATION WHICH AMENDS EXISTING LEGISLATION SHALL BE CAPITALIZED; DELETIONS SHALL BE INDICATED BY STRIKING (-)." "

**SECTION 1. LEGISLATIVE INTENT.** In order to better mitigate the exacerbation of societal harms realized over the course of the pandemic, better prepare for future challenges, and offer relief to the general public negatively impacted by the immediate and lingering affects thereof, the City shall undertake the design and implementation of temporary public health and economic impact programs designed to alleviate such societal harms, consistent with the provisions of this Ordinance. **In order to ensure that all ARPA funds shall remain available for use in an efficient, cost-effective manner, the intent of this Budget Ordinance is to use all remaining ARPA funds awarded to the City for REVENUE REPLACEMENT.** **The City shall adhere to the Legislative Intent of the Final ARPA Budget Ordinance, and address the approved priorities, programs, and projects listed herein through proposed General Fund and Capital Budgets and Budget Reallocations.**

**SECTION 2. INCORPORATION OF FINDINGS.** The preceding recitations are incorporated as findings of the Council of the City of Harrisburg.

94 **SECTION 3. APPROPRIATION.** Coronavirus State and Local Fiscal Recovery Funds (SLFRF)  
95 from the total remaining of funds awarded to the City of Harrisburg, equal to the sum of  
96 \$31,450,625, more or less, shall be appropriated **for REVENUE REPLACEMENT. Upon**  
97 **adoption of this Final ARPA Budget Ordinance, the sum of \$200,000 shall be immediately**  
98 **available for transfer and use as General Fund revenues without further approval of Council**  
99 **for the initial administrative costs of personnel, equipment, goods, and services deemed**  
100 **necessary to commence staff hiring and planning for programs and projects, within such**  
101 **departments and bureaus budgets as to be determined by the Mayor. The use of additional**  
102 **funds shall be subject to prior approvals in the normal course of business for the**  
103 **appropriation of General Fund revenues and Budget expenditures.**

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105 **SECTION 4. APPROVED LIST FOR 2023, 2024, AND 2025 GENERAL FUND**  
106 **PROJECTS, PROGRAMS, AND ACTIVITIES. Subject to approval of any related General**  
107 **Fund Budget and/or Budget Reallocation, the following is the approved list of proposed**  
108 **activities and related allocations determined to be City General Fund priorities for the 2023,**  
109 **2024, and 2025 Budget Years.**

110	<b><u>ACTIVITY</u></b>	<b><u>ALLOCATION</u></b>
111		
112	A. ARPA ADMINISTRATION	\$1,200,000.00
113	B. PUBLIC HEALTH AND ECONOMIC IMPACT PROGRAMS	
114	Affordable Housing Program	\$8,000,000.00
115	<del>Small Business Assistance</del>	<del>\$ 500,000.00</del>
116	Tree Removal <b><u>PROGRAM</u></b> and <del>Pruning for Senior</del>	

117	<b>Citizens</b>	\$ 500,000.00
118	Home Repairs	\$5,000,000.00
119	Delinquent Refuse/Disposal Bill Assistance	\$1,000,000.00
120	<b><u>REPLACE SOUTH HARRISBURG POOL</u></b>	\$8,000,000.00
121	South Harrisburg Spray Park	
122	<b><u>ADA-ACCESSIBLE PLAYGROUND EQUIPMENT</u></b>	<b><u>\$1,500,000.00</u></b>
123	Upgraded Fire Radio System	\$ 900,000.00
124	Demolition of Blighted Property	\$1,500,000.00
125	<b><u>HEALTHY CORNERS PILOT PROGRAM</u></b>	<b><u>\$ 150,000.00</u></b>
126	<b><u>WORKFORCE DEVELOPMENT/INTERNSHIP</u></b>	
127	<b><u>PROGRAM</u></b>	<b><u>\$1,000,000.00</u></b>
128	<b><u>SENIOR PROGRAMMING</u></b>	<b><u>\$ 250,000.00</u></b>
129	<b><u>BRIDGE HOUSING PROGRAM</u></b>	<b><u>\$1,000,000.00</u></b>
130	<b><u>COMMUNITY MATTERS GRANT PROGRAM</u></b>	<b><u>\$1,000,000.00</u></b>
131	<b><u>COMMUNITY CONNECTION HUBS</u></b>	<b><u>\$ 500,000.00</u></b>
132		
133	<b>TOTAL PUBLIC HEALTH AND ECONOMIC IMPACT PROGRAMS</b>	<b><u>\$30,150,000.00</u></b>
134	<b>(06/27/2023 Amendments)</b>	<b><u>\$29,300,000.00</u></b>
135		<b><u>\$26,900,000.00</u></b>
136	<b>C. TOTAL ARPA (PROGRAMS + ADMINISTRATION)</b>	<b><u>\$31,350,000.00</u></b>
137	<b>(06/27/2023 Amendments)</b>	<b><u>\$30,500,000.00</u></b>
138		<b><u>\$28,100,000.00</u></b>
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140 **SECTION 4 5. ADDITIONAL PROVISIONS.**

141 **A. For the list of Activities in Section 4 of the Final ARPA Budget Ordinance, the**  
 142 **following reflects the Legislative Intent for specific Activities:**

- 143 a. Replace South Harrisburg Pool. Funds for the replacement of the South  
144 Harrisburg Pool are intended for replacement. Request for Proposals for  
145 related professional services for design professionals should require  
146 multiple design options, and include an option for pool replacement.
- 147 b. Workforce Development/Internship Program. The program should create  
148 career training opportunities. The models and the work of other programs,  
149 including the youth corps program and others can provide guidance. The  
150 program should promote and develop skills in areas of sustainability,  
151 information technology, skilled labor fields, and more.
- 152 c. Senior Programming. The program should allow organizations serving the  
153 City's senior population to apply for funding to support senior programing  
154 activities in the City.
- 155 d. Bridge Housing Program. The program should fund short term housing  
156 needs for those experiencing temporary homelessness in the City. The  
157 program may allow for partnerships with organizations and entities in  
158 the area.
- 159 e. Community Matters Grant Program. The program would support  
160 underserved minority communities, minority-owned and women-owned  
161 businesses, and established 501 (c) 3 non-profit entities in the City that  
162 serve underserved and low-income communities. The program may be  
163 modeled as a City-based version of a modified Dauphin County  
164 Community Matters Grant Program.



165 f. Community Connection Hubs. The program should provide for spaces that  
166 encourage workforce development, job seeking, and skills building.  
167 Program goals may be served through partnerships with local libraries,  
168 businesses, and non- profits.

169 g. The Departments and Bureaus charged with development and  
170 implementation of programs for the listed Activities should develop  
171 program specifics by working groups. The Chair of the Standing  
172 Committee designated to review matters for a Department or Bureau with  
173 oversight of a program shall be provided notice of all such meetings, with  
174 an option to attend.

175 B. The Departments and Bureaus of the City that are charged by the Mayor to implement  
176 the public health and economic impact programs to be funded, in whole or part, through  
177 this Ordinance shall create, adopt, and implement public regulations that provide for a  
178 published method of application, notice requirements, criteria for a determination of  
179 eligibility to participate in or enjoy the benefit through any such program.

180 C. Departmental and Bureau Regulations adopted in accordance with the requirements of  
181 this Ordinance shall be published, implemented, and, where necessary, modified, in a  
182 manner as required by Section 610 of the Optional Third Class City Charter Law, 53  
183 P.S. § 41610.

184 D. Nothing herein is intended to waive or otherwise diminish any obligation for public  
185 bidding, pre-approval of any related professional or personal service contracts by City  
186 Council, any prevailing wage requirements, or other statutory and regulatory

187 obligations of the City of Harrisburg, except as may be directly authorized by the  
188 United States Department of the Treasury.

189 E. Funds for ARPA Administration are expressly authorized to include the provision of  
190 language, visual, and hearing-impaired translation services for public access to any  
191 program funded herein.

192 F. Nothing herein shall be deemed to require or authorize the expenditure of City general  
193 revenue or other funds to implement, continue, or supplement any program or  
194 application that may be authorized, implemented, or approved with the use of SLFRF  
195 funding.

196 G. Nothing herein shall be deemed to authorize any use of funds in a manner that would  
197 impair the City's rights and eligibility to secure federal funding for any matter from  
198 any federal agency.

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200 **SECTION 5 6. REPORTING.**

201 Each Department or Bureau responsible for the management of any public health and/or economic  
202 impact programs funded, in whole or part, through this appropriation shall provide the Mayor and  
203 City Council with a quarterly and final written report on the program(s) administered and provide  
204 a full accounting of all expenditures.

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206 **SECTION 6 7. ADDITIONAL FUNDS. PROCUREMENT STANDARDS.**

207 ~~Use of remaining SLFRF funds will require a separate allocation and Council approval.~~

208 **Except as otherwise prohibited by law, the Procurement Standards provided under ARPA**  
209 **shall remain in effect for any phase of a project included in the Activities listed in Section 4,**

210 **including the provisions of 2 CFR Part 200.321 regarding small and minority businesses and**  
211 **women's business enterprises.**

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213 **SECTION 7 8. DELEGATION.**

214 Appropriate City officials are authorized to take such actions as are necessary to effectuate this  
215 ordinance.

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217 **SECTION 8 9. SEVERABILITY.**

218 If any provision, sentence, clause, section or part of this ordinance or the application thereof to any  
219 person or circumstance is for any reason found to be unconstitutional, illegal or invalid by a court  
220 of competent jurisdiction, such unconstitutionality, illegality or invalidity shall not affect or impair  
221 any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby  
222 declared as the intent of the Council of the City of Harrisburg that this ordinance would have been  
223 adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not  
224 been included herein.

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226 **SECTION 9 10. REPEALER.**

227 All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

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229 **SECTION 10 11. EFFECTIVE DATE.**

230 This ordinance shall take effect in accordance with the law.

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232 Seconded by: Councilman Majors

BILL NO. 5 -2023

As Amended  
7/5/2023

YEAS		NAYS
	MS. DANIELS	✓
✓	MS. GREEN	
✓	MR. LAWSON	
✓	MR. MAJORS	
	MS. RAWLS	ab excused
	MR. RODRIGUEZ	ab - excused
✓	MS. BOWERS	
YEAS	4	
NAYS	1	

Passed by City Council 7/5/2023

Danielle L Bowers  
President of City Council

Attest Michael J Parker  
City Clerk

Approved

Return to City Council with objections

Wanda R. W. Williams  
Mayor

**received**  
7/12/2023