



Agenda
Legislation & Rules Committee
Meeting
St. Louis Board of Aldermen
Tuesday, March 17, 2026 - 2:00 PM
Kennedy Room

President Megan Green
Alderwoman Daniela Velazquez, Chair
Alderman Matt Devoti, Vice Chair
Committee Members:
Alderman Shane Cohn
Alderman Bret Narayan
Alderwoman Laura Keys
Alderman Alisha Sonnier

Order of Business

I. Call to Order

II. Roll Call

III. Approval of Minutes

Approval of the minutes from Tuesday, February 24, 2026, committee meeting.

IV. Board Bills for Review

(The committee will discuss and take public comment on the following)

Board Bill Number 165

Introduced by Alderman Rasheen Aldridge, President Megan E Green An Ordinance to standardize the current authority of City Departments pre-paying qualifying expenses from qualifying organizations who are under contract with the City of St. Louis to provide the City of St. Louis a product or service, by requiring that minimum documentation is received and by installing a cap on the pre-payments allowed to be given.

V. Resolutions for Review

None

VI. Committee Discussions

VII. Acknowledgment of Any Written Testimony

VIII. Announcements

IX. Excused Members

X. Adjournment



**Minutes
Legislation & Rules Regular Committee
Tuesday, February 24, 2026
2:30 PM
Kennedy Room**

Minutes are preliminary and may change until finally approved

I. Call to Order

The Chair called the meeting to order at 2:35 pm.

II. Roll Call

The Chair directed the Associate Clerk to call the roll and the following members answered their names: Mr. Cohn, Ms. Keys, Ms. Sonnier, Mr. Devoti and Chair Velazquez. **5 members were present. A quorum was established.**

Mr. Narayan joined the meeting after it began, bringing the total members present to 6 members.

III. Approval of Minutes

Approval of the minutes from Tuesday, February 10, 2026

The Chair entertained a motion to approve the minutes of the Tuesday, February 10, 2026, committee meeting.

Ms. Sonnier moved to minutes of the Tuesday, February 10, 2026, committee meeting.

Seconded by Mr. Devoti.

The Chair directed the Associate Clerk to call the roll on the motion to approve the minutes of the Tuesday, February 10, 2026, committee meeting.

The Associate Clerk called the roll.

The following voted Aye: Mr. Cohn, Ms. Keys, Ms. Sonnier, Mr. Devoti and

Chair Velazquez. **5 Aye votes were cast.**

The following voted No:
None

The following abstained:
None

The following were present but did not vote:
None

A total of 5 votes were cast. The motion carried.

IV. Board Bills for Review

(The committee will discuss and take public comment on the following)

Board Bill Number 171

Introduced by Alderwoman Alisha Sonnier, President Megan E Green An Ordinance amending Section 2 of Ordinance 47423 approved March 2, 1955, relating to requisitions for supplies not under contract, for the purpose of updating departmental minor purchase order thresholds and procurement procedures; and containing a severability clause and an emergency clause.

The Chair recognized Ms. Sonnier for introducing Board Bill Number 171 before the committee.

Ms. Sonnier presented a PowerPoint Presentation on Board Bill Number 171.

After no further discussion, the Chair opened the discussion up to members of the committee for questions and comments.

Hearing no questions or comments from members of the committee, the Chair recognized Ms. Kim Haegley, St. Louis City Parks Commissioner and Chris Carter, St. Louis City Supply Commissioner to speak on Board Bill Number 171.

After no further discussion, the Chair opened the discussion up to members of the committee for questions and comments.

Hearing no questions or comments from members of the committee, the Chair entertained a motion to pass Board Bill Number 171 out of committee with a **Do Pass Recommendation**.

Mr. Narayan moved to pass Board Bill Number 171 out of committee with a **Do Pass Recommendation**.

Seconded by Ms. Velazquez.

The Chair directed the Associate Clerk to call the roll on the motion to pass Board Bill Number 171 out of committee with a Do Pass Recommendation.

The Associate Clerk called the roll and the following votes were recorded: The following voted Aye: Mr. Cohn, Mr. Narayan, Ms. Keys, Ms. Sonnier, Mr. Devoti and Chair Velazquez. **6 Aye votes were cast.**

The following voted No:
None

The following voted Present:
None

The following Abstained:
None

A total of 6 Aye votes were cast. The motion carried.

V. Resolutions for Review

(The committee will discuss and take public comment on the following)

Resolution Number 245

Introduced by Alderman Thomas Oldenburg BE IT RESOLVED BY THE BOARD OF ALDERMEN that the Board Aldermen hereby amends its rules for the 2025-2026 legislative session by the addition of a new rule which shall be and read as follows: “The passage of Board Bills for the appropriation of Rams Settlement Funds shall require the affirmative vote of two-thirds of all members of the Board of Aldermen.”

The Chair recognized Mr. Oldenburg for introducing Resolution Number 245 before the committee.

Mr. Oldenburg spoke on Resolution Number 245.

After no further discussion, Mr. Oldenburg stated that he had an Amendment 1 to Resolution Number 245 that he wanted to put before the committee.

Chair Velazquez entertained a motion to put Amendment 1 to Resolution Number 245 before the committee.

Mr. Devoti moved to put Amendment 1 to Resolution Number 245 before the committee.

Seconded by Ms. Sonnier.

The motion carried by unanimous consent.

After no further discussion, Mr. Oldenburg spoke on Amendment 1 to Resolution Number 245.

After no further discussion, the Chair opened the discussion up to members of the committee for questions and comments.

Hearing no questions or comments from members of the committee, the Chair entertained a motion to adopt Amendment 1 to Resolution Number 245.

Mr. Cohn moved to adopt Amendment 1 to Resolution Number 245.

Seconded by Mr. Narayan.

Amendment No. 1 Resolution 245 By Sponsor Thomas Oldenburg

To amend said Resolution as follows: Beginning on line three of the Resolution, following the words “appropriation of,” insert the following, to read in words and figures as follows: **funds received by the City as a result of the City’s settlement of litigation against the Rams Football Team owner Stan Kroenke and the National Football League, known as the Rams Settlement Funds, and any accumulated interest”**.

The Chair directed the Associate Clerk to call the roll on the motion to adopt Amendment 1 to Resolution Number 245 out of committee with a **Do Pass**

Recommendation.

The Associate Clerk called the roll and the following votes were recorded:
The following voted Aye: Mr. Cohn, Mr. Narayan, Ms. Keys, Mr. Devoti and Chair Velazquez. **5 Aye votes were cast.**

The following voted No: Ms. Sonnier
1 No vote was cast

The following voted Present:
None

The following Abstained:
None

A total of 6 votes were cast. The motion carried.

After no further discussion, the Chair entertained a motion to pass Resolution Number 245 As Amended out of committee with a **Do Pass Recommendation.**

Mr. Narayan moved to pass Resolution Number 245 As Amended out of committee with a **Do Pass Recommendation.**

Seconded by Mr. Devoti.

Mr. Devoti requested the previous roll.

Hearing no objection to the request for previous roll the Chair stated that Resolution Number 245 As Amended passed out of committee with a Do Pass Recommendation.

The Associate Clerk recorded the following votes from the previous roll:
The following voted Aye: Mr. Cohn, Mr. Narayan, Ms. Keys, Mr. Devoti and Chair Velazquez. **5 Aye votes were cast.**

The following voted No: Sonnier
1 No vote was cast.

The following voted Present:
None

The following Abstained:
None

A total of 6 votes were cast. The motion carried.

VI. Committee Discussions

None

VII. Acknowledgment of Any Written Testimony

None

VIII. Announcements

IX. Excused Members

All members were present.

X. Adjournment

Having no other business to discuss, the Chair entertained a motion to adjourn the meeting.

Mr. Narayan moved to adjourn the meeting.

Seconded by Ms. Velazquez.

Ms. Velazquez requested the previous roll.

Hearing no objection to the request for previous roll the Chair stated that the meeting was adjourned.

The Associate Clerk recorded the following votes from the previous roll:
The following voted Aye: Mr. Cohn, Mr. Narayan, Ms. Keys, Mr. Devoti and Chair Velazquez. **5 Aye votes were cast.**

The following voted No: Sonnier
1 No vote was cast.

The following voted Present:
None

The following Abstained:
None

A total of 6 votes were cast. The motion carried.

The meeting adjourned at 3:10pm.

Summary
Board Bill Number 165
Introduced by Alderman Rasheen Aldridge Jr.
February 13, 2026

An Ordinance to standardize the current authority of City Departments pre-paying qualifying expenses from qualifying organizations who are under contract with the City of St. Louis to provide the City of St. Louis a product or service, by requiring that minimum documentation is received and by installing a cap on the pre-payments allowed to be given.

**BOARD BILL NUMBER 165 INTRODUCED BY ALDERMAN RASHEEN ALDRIDGE
COSPONSOR: PRESIDENT MEGAN GREEN**

1 An Ordinance to standardize the current authority of City Departments pre-paying qualifying
2 expenses from qualifying organizations who are under contract with the City of St. Louis to
3 provide the City of St. Louis a product or service, by requiring that minimum documentation is
4 received and by installing a cap on the pre-payments allowed to be given.

5 **WHEREAS**, the Department Directors of the City can provide Advance Payments for City
6 Contracts, see Page 6, Section V titled, “Method of Compensation” of **Exhibit B** for a
7 City approved Contract that was approved to pay the Contract recipient prior to services
8 being rendered; and

9 **WHEREAS**, this Ordinance seeks to keep the current power in place, but to heighten the
10 documentation needed and to cap the amount that is able to be given.

11 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

12 **SECTION ONE. Definition.**

13 ***Advance Payment***, means a payment made by the City to a Contract Recipient or directly to a
14 vendor prior to the incurrence or submission of expenses, for Qualifying Expenses
15 approved under this Ordinance.

16 ***Advance Payment Authorizer***, means the Director, Executive, or their documented designees, of
17 the various departments, divisions, or offices of the City who have, as a part of their
18 regular job duty, the ability to authorize the approvals related to City Contracts.

19 ***Advance Payment Fund***, means the fund utilized in this Ordinance by the Advance Payment
20 Authorizer wherein the Advance Payment Authorizer has the authority to withdraw
21 money from for the execution of the Contract.

1 *Assessment*, means the Comptroller’s Comprehensive Risk Analysis Assessment hereto attached
2 as **EXHIBIT A** and further outlined in Section 13.

3 *City*, means the political subdivision of the State of Missouri known as the City of St. Louis, or
4 depending on context, a municipal staffer, or a municipally elected official, acting within
5 their regular roles, regular responsibilities, or regular powers of their job or office.

6 *Comptroller’s Comprehensive Risk Analysis Assessment*, means the document, hereto attached
7 as **Exhibit A** which shall be held in the Comptroller’s office and which may be further
8 updated in accordance with Section 13 of this Ordinance.

9 *Contract*, means a contract duly awarded by the City in accordance with the rules and
10 regulations for the award of contracts then in place.

11 *Contract Recipient*, means a Small or Medium-Sized Organization awarded a Contract.

12 *Qualifying Expense*, means an expense that is preapproved by the Advance Payment Authorizer,
13 that is required to fulfill the Contract, and that is covered under one of the delineated
14 categories outlined in Section 3 Subsection B, C, or D.

15 *Small or Medium-Sized Organization*, means an organization with an annual operating budget
16 of less than \$5,000,000 as demonstrated in its most recent audited financial statements or
17 IRS Form 990.

18 *Tier 1 Expense*, means the lowest-risk expense categories eligible for Advance Payment as
19 defined in Section 3 Subsection B.

20 *Tier 2 Expense*, means moderate-risk expense categories eligible for Advance Payment as
21 defined in Section 3 Subsection C.

22 *Tier 3 Expense*, means higher-risk expense categories eligible for Advance Payment as defined
23 in Section 3 Subsection D.

1 **SECTION TWO. Establishing the Advance Payment Fund.**

2 The Advance Payment Authorizer is hereby authorized to make, negotiate, and execute all
3 Advance Payment Contracts on behalf of the City to distribute such funds to the qualifying Small
4 or Medium-Sized Organization in accordance with this Ordinance. All Contract agreements shall
5 be subject to applicable City ordinances, policies, and procedures governing City Contracts.

6 **SECTION THREE. Qualifying expenses and payment tiers.**

7 **Subsection A. General Eligibility.**

8 To qualify for Advance Payment under this Ordinance, each unique expense must:

- 9 1. Be directly related to and necessary for the execution of the Contract; and
- 10 2. Fall within one of the expense categories listed in Section 3 Subsection B, C,
11 or D; and
- 12 3. Meet all documentation requirements specified in Section 4; and
- 13 4. Comply with all applicable City procurement and contracting policies; and
- 14 5. Have the advance payment application be approved by the Advance Payment
15 Authorizer; and

16 **Subsection B. Tier 1 Expenses.**

17 The following expense categories are designated as Tier 1 Expenses eligible for an
18 Advance Payment of up to 2 months costs and the security deposit:

19 **Clause 1. Rent Payments.**

20 Monthly rent payments for dedicated program space under a written lease
21 agreement, provided that:

- 22 a. The lease specifically identifies the premises used for Contract
23 activities.

1 **Clause 2. Utilities.**

2 Charges for electricity, gas, water, sewer, and internet service for dedicated
3 program space, provided that:

- 4 a. Utility accounts are in the name of the Contract Recipient; and
- 5 b. Service addresses correspond to the dedicated program space; and
- 6 c. The City pre-approves the utility providers and estimated monthly
7 costs using a yearly average when available.

8 **Subsection C. Tier 2 Expenses.**

9 The following expense categories are designated as Tier 2 Expenses eligible for an
10 Advance Payment up to 50% of the agreed upon costs:

11 **Clause 1. Payroll for Dedicated Staff.**

12 Salaries and wages for specifically designated employees working on the
13 Contract, provided that:

- 14 a. Each employee is identified by name and position in the approved
15 budget; and
- 16 b. The Contract Recipient provides evidence of professional
17 qualifications where required by the Advance Payment Authorizer;
18 and
- 19 c. Payroll is processed through a licensed payroll service or documented
20 payroll system; and
- 21 d. The Contract Recipient maintains time records documenting hours
22 worked on the Contract; and

1 e. The Contract Recipient provides quarterly payroll reports in the form
2 of IRS Form 941, or Form 941's alternative depending on the relevant
3 IRS exceptions, and documentation of tax payment deposits.

4 **Clause 2. Licensed Professional Services.**

5 Contracted services from licensed professionals including therapists,
6 counselors, social workers, teachers, medical professionals, and similar
7 credentialed service providers, provided that:

- 8 a. The professional possesses current, valid licensure in the relevant
9 field; and
- 10 b. A written service agreement specifies the scope, rate, and schedule of
11 services; and
- 12 c. The City pre-approves the service provider and contract terms; and
- 13 d. The Contract Recipient maintains service logs and attendance records.

14 **Subsection D. Tier 3 Expenses.**

15 The following expense categories are designated as Tier 3 Expenses eligible for an
16 Advance Payment up to 25% of the costs:

17 **Clause 1. Equipment and Technology.**

18 Purchase of equipment, technology, furniture, or other capital items directly
19 necessary for program operations, provided that:

- 20 a. Items are specifically identified in the approved budget with estimated
21 costs; and
- 22 b. The City pre-approves all purchases; and

- 1 c. The Contract Recipient provides delivery confirmation, photos, and
- 2 inventory documentation; and
- 3 d. Equipment remains in service for the program throughout the contract
- 4 period or as otherwise specified in the Contract.

5 **Clause 2. Pre-Approved Supplies and Materials.**

6 Recurring supplies and materials necessary for direct service delivery,
7 provided that:

- 8 a. Supply categories and estimated costs are identified in the approved
- 9 budget; and
- 10 b. Individual purchase orders do not exceed pre-approved amounts
- 11 without City authorization; and
- 12 c. The Contract Recipient maintains purchase records and delivery
- 13 documentation; and
- 14 d. Payment is made directly to vendors or through a City-approved
- 15 procurement process.

16 **Subsection E. Double Dipping.**

17 For the duration of the Contract, the Small or Medium-Sized Organization shall be
18 prohibited from receiving Advance Payment for more than one Tier as outlined in
19 Section 3 Subsections B, C, or D. Section 3, Subsection E does not prohibit a Small
20 or Medium-Sized Organization from receiving multiple Contracts that each receive an
21 Advance Payment from separate Tiers.

22 **Subsection F. Prohibitions.**

1 Notwithstanding any other provision of this Ordinance, in no event shall expenditures
2 on any of the following constitute a Qualifying Expense:

- 3 1. Lobbying; or
- 4 2. Fundraising; or
- 5 3. Alcohol or other inebriating substances; or
- 6 4. Capital campaigns.
- 7 5. Anything not enumerated in Section 3 Subsections B, C, D, and also not stated
8 as a prohibited item in Section 3 Subsection F, Clause 1, 2, 3, or 4 shall be
9 conditionally prohibited. Conditional prohibition may be overturned by the
10 Board of Estimate and Apportionment, who, when giving approval shall
11 determine if the expense qualifies and the terms and conditions of the
12 Advance Payment should it qualify as an expense payable through the
13 Contract.

14 **Subsection G. Ceiling for Advance Payments.**

15 A. A Small or Medium-Sized Organization shall not receive Advance Payments, as
16 outlined in this Ordinance, that totals more than five hundred thousand dollars
17 (\$500,000) in any consecutive twelve (12) month period regardless of the number of
18 Contracts they hold with the City.

19 B. A Small or Medium-Sized Organization shall not receive Advance Payments, as
20 outlined in this Ordinance, that total more than 30% of that Contract.

21 **SECTION FOUR. Application.**

22 Contract Recipients seeking Advance Payment of Qualifying Expenses for a Contract shall
23 submit alongside the required documentation for the Contract, an application to the Advance

1 Payment Authorizer for Advance Payments. An Advance Payment Application may be
2 submitted prior to the Contract being awarded, after the Contract has been awarded, or during the
3 execution of the Contract. The Advance Payment application shall include:

4 A. A detailed budget breakdown identifying each Qualifying Expense by tier; and

5 B. The most recent audited financial statements or IRS Form 990 of the Contract
6 Recipient; and

7 C. A cash flow projection demonstrating the financial need for advance payment; and

8 D. A signed certification by an authorized officer of the Contract Recipient attesting to
9 the accuracy of the application and agreeing to all terms and conditions of this
10 Ordinance; and

11 E. Proof of the current tax-exempt status from the IRS if the Small or Medium-Sized
12 Organization is a nonprofit; and

13 F. Proof of being fully paid with all taxes owed on the city, state, and federal
14 government, or a payment plan that has been fully agreed to by the aforementioned
15 applicable bodies; and

16 G. Proof of the Contract, including all official documents provided within, including but
17 not limited to the Contract and the qualifying expenses as approved by the Advance
18 Payment Authorizer; and

19 H. Documentation of the identity, and contact info, of all beneficial owners holding 25
20 percent or greater ownership interest, or if none hold 25 percent or more, then
21 documentation of the ownership structure identifying the natural persons exercising
22 control and their contact info; and

23 I. Complete and submit the Comptroller's Comprehensive Risk Analysis Assessment.

1 **SECTION FIVE. Approval Process.**

2 The Advance Payment Authorizer shall:

- 3 A. Review the Advance Payment Application promptly following receipt of the Contract
- 4 proposal; and
- 5 B. Verify the eligibility of proposed Qualifying Expenses; and
- 6 C. Assess the reasonableness of costs; and
- 7 D. Verify the entity qualifies as a Small or Medium-Sized Organization; and
- 8 E. Use the Comptroller’s Comprehensive Risk Analysis Assessment to inform their
- 9 decision; and
- 10 F. Approve, conditionally approve, or deny the application, in writing; and
- 11 G. If approved, establish an advance payment schedule specifying amounts, timing, and
- 12 conditions of the Advance Payments; or
- 13 H. If conditionally approved, establish the stipulations needed to be resolved before
- 14 Advance Payments can be made; or
- 15 I. If denied, send the stated reasons why.

16 The Advance Payment Authorizer shall not be compelled to enter into the Advance Payment
17 program or approve an advance payment application just because the Small or Medium-Sized
18 Organization otherwise qualifies or otherwise submitted an application in accordance to the
19 requirements outlined in this Ordinance. The Advance Payment Authorizer shall take a wholistic
20 approach to approving advance payment applications which may include ensuring applications
21 are spread across the city, spread across markets, and spread across demographics both in who is
22 served and who is given the Advance Payments. The Advance Payment Authorizer shall not
23 approve the application of an organization that is larger than a Small or Medium-Sized

1 Organization. The Advance Payment Authorizer shall not approve an advance payment
2 application from any of the following Small or Medium-Sized Organizations:

3 J. Entities that fail to disclose the identification of, and communication info with, all
4 beneficial owners holding 25 percent or greater ownership interest; or

5 K. entities whose ownership structure prevents identification of, and communication info
6 with, the natural persons exercising control of the entity.

7 **SECTION SIX. Ongoing Reporting.**

8 Contract Recipients receiving Advance Payments shall submit progress reports to the Advance
9 Payment Authorizer at intervals determined by the Advance Payment Authorizer based on the
10 Contract duration and complexity. The Advance Payment Authorizer shall establish the reporting
11 schedule in the advance payment schedule and may require monthly, quarterly, semi-annual, or
12 other appropriate reporting frequencies. Each progress report shall include at a minimum, for all
13 qualifying expenses:

14 **A. Summary and Reconciliation:**

15 1. A summary of all Advance Payments received during the reporting period;
16 and

17 2. A comparison of budgeted versus actual expenses for each Qualifying
18 Expense category; and

19 3. An explanation of any material variances from the approved budget; and

20 4. Updated cash flow projections for the remainder of the contract period; and

21 5. Supplemental info, per expense, as outlined in Subsection B, C, and D.

22 **B. Tier 1 Expense Documentation:**

- 1 1. Copies of payment confirmations showing payment to landlords and utility
- 2 companies; and
- 3 2. Landlord certification of rent payment and continued occupancy; and
- 4 3. Utility bills showing service and charges; and
- 5 4. Insurance certificates confirming active coverage.

6 **C. Tier 2 Expense Documentation:**

- 7 1. Timesheets or time records for dedicated staff; and
- 8 2. Service logs and attendance records for professional service providers; and
- 9 3. Payroll registers showing gross pay, deductions, and net pay; and
- 10 4. Copies of payroll tax filings Form 941 and documentation of tax deposits; and
- 11 5. Proof of payment to professional service providers.

12 **D. Tier 3 Expense Documentation:**

- 13 1. Delivery receipts or confirmations for any equipment or supplies received
- 14 during the reporting period; and
- 15 2. Photographs of delivered equipment or supplies showing serial numbers and
- 16 condition; and
- 17 3. Updated equipment inventory list; and
- 18 4. Documentation of continued use in program operations; and
- 19 5. Supply usage logs.

20 **SECTION SEVEN. Final Report.**

21 Within 30 days of the contract being completed, the Contract Recipient shall submit a final

22 report that includes:

- 1 A. A complete accounting of all advance payments received and all expenses incurred
- 2 over the entire contract period; and
- 3 B. Final supporting documentation for all expense categories, including:
 - 4 1. Reconciliation of all advance payments with actual expenses incurred; and
 - 5 2. When applicable, a W-2 form for each dedicated staff; and
 - 6 3. When applicable, a W-9 and 1099 forms for professional service contractor;
 - 7 and
 - 8 4. Final equipment condition report and inventory.
- 9 C. Calculation of any amounts due to, or from, the City; and
- 10 D. Final certification of compliance with all contract requirements.

11 **SECTION EIGHT. Compliance, Monitoring, and Enforcement.**

12 The City maintains the right to conduct compliance reviews for contracts receiving Advance
13 Payments. If the City determines that a Contract Recipient has failed to comply with the
14 requirements of this Ordinance, or any other applicable City Ordinance, the Advance Payment
15 Authorizer may:

- 16 A. Suspend future advance payments pending corrective action; and
- 17 B. Require immediate documentation or explanation of deficiencies; and
- 18 C. Convert future payments to reimbursement-only basis; and
- 19 D. Demand immediate return of unspent Advance Payments; and
- 20 E. Initiate recovery proceedings under Section 9; and
- 21 F. Terminate the Contract in accordance with contract terms;
- 22 G. Declare the Contract Recipient ineligible for future Advance Payments or City
23 contracts.

1 If the City determines that a Contract Recipient has failed to comply with the requirements of
2 this Ordinance, or any other applicable City Ordinance, to the extent that the City determines that
3 the noncompliance was minor in the effect that it does not indicate fraud or material misuse of
4 funds, the Advance Payment Authorizer shall ignore Subsection A – G of this Section and shall
5 do the following:

6 H. Provide written notice to the Contract Recipient identifying the deficiency,
7 noncompliance, or wrongdoing; and

8 I. Allow a reasonable period of at least 30 days, or longer as deemed fit by the Advance
9 Payment Authorizer, to rectify the problem; and

10 J. Provide technical assistance to help the Contract Recipient achieve compliance; and

11 K. Pause the Advance Payment schedule if the time in Subsection I has passed without
12 adequate resolve.

13 **SECTION NINE. Recovery and Clawback.**

14 The Contract Recipient shall immediately return to the City all funds from an Advance Payment
15 that:

16 A. Were not used for the designated Qualifying Expense; or

17 B. Exceeded actual expenses incurred; or

18 C. Were obtained through misrepresentation or fraud; or

19 D. Relate to contract deliverables that were not completed; or

20 E. Remain unspent upon contract termination or expiration.

21 Amounts not returned within 30 calendar days of the City's written demand shall accrue interest
22 at the maximum rate permitted by State law as well as the maximum fines permitted by state law.

1 **SECTION TEN. Annual Reporting.**

2 At the start of every calendar year, submitted no later than April 1st of the calendar year, each
3 Advance Payment Authorizer who entered into the program outlined in this Ordinance shall
4 submit to the Clerk of the Board of Aldermen a report that includes the impact of the advance
5 payment program. The report at a minimum shall include:

- 6 A. The number of Contract Recipients who applied; and
- 7 B. The number of Contract Recipients who were denied; and
- 8 C. The neighborhood and Ward of each Contract Recipient; and
- 9 D. The number of expenses, delineated by the Tier, for the Contract Recipients that were
10 denied; and
- 11 E. The number of expenses, delineated by the Tier, for the Contract Recipients that were
12 approved; and
- 13 F. A summary of the top 5 reasons Contract Recipients were denied.

14 **SECTION ELEVEN. Requirement for Public Notice.**

15 The advance payment program shall be broadcasted in the following ways by using a font that is
16 as easily read as Times New Roman, black color on a white background, and a minimum of size
17 12 font:

- 18 A. On the cover page of each document soliciting a contractor or supplier (including
19 without limitation a Bid, RFP, RFQ, RFI, and/or NOFA) for which the Advance
20 Payment Authorizer has determined an Advance Payment may be permitted and
21 appropriate, by stating: “Certain expenses that are required to fulfill this contract may
22 be eligible to be paid upfront. Refer to Ordinance ##### for further info.” Where the

- 1 aforementioned “#####” shall be the Ordinance number as provided by the
2 Registrar’s office.
- 3 B. On the procurement website titled “Active City RFPs, RFQs, RFIs, and Bids”, or its
4 successor, as detailed below:
- 5 1. Under “Quotes and Bids” and before “Bid Opening Notice” state the
6 following:
- 7 a. “Certain expenses to fulfill certain of these bids may be eligible to be
8 paid by the city upfront. Reach out to the Supply Division, or read
9 Ordinance ##### for further info.” Where the aforementioned “#####”
10 shall be the Ordinance number as provided by the Registrar’s office.
- 11 2. Under “All Active RFPs, RFQs, and RFIs” and before “Other Bid Links” state
12 the following:
- 13 a. “Certain expenses to fulfill certain of these requests may be eligible to
14 be reimbursed by the city upfront. Reach out to the department
15 awarding this contract, or read Ordinance ##### for further info.”
16 Where the aforementioned “#####” shall be the Ordinance number as
17 provided by the Registrar’s office.

18 **SECTION TWELVE. Non-Exclusive Remedy.**

19 The remedies, fines, and procedures provided under this Ordinance are cumulative and are not
20 intended to be exclusive of any other available remedies, penalties, and procedures established
21 by law which may be pursued to address violations of this chapter.

1 **SECTION THIRTEEN. Comptroller’s Comprehensive Risk Analysis Assessment.**

2 The Comptroller’s Comprehensive Risk Analysis Assessment, attached hereto as **Exhibit A**, can
3 be amended by the Comptroller, or one of their documented designees, so long as the following
4 requirements are met:

- 5 A. The amendments to the questions, sections, or requirements are distributed to the
6 Advance Payment Authorizer reasonably in advance of the posting of the Contract.

7 **SECTION FOURTEEN. Mandated Reporting.**

- 8 A. When any City employee, Contract Recipient, or elected officer has reasonable cause
9 to suspect, or cause to know, that circumstances which would reasonably result in
10 violations of Section 3 Subsection F or which would reasonably align with the fraud
11 as outlined in Section 8, that person shall immediately report to the Comptroller, The
12 Director of Personnel, and The City Counselor.

- 13 B. If two or more City employees, Contract Recipients, or elected officers, who are
14 employed in the same department or under the same Contract, have knowledge of a
15 known or suspected instance of fraud as outlined in Section 13 Subsection A, a single
16 report may be made by a designated member of the team. Any of the team members
17 who has knowledge that the member designated to report has failed to do so shall
18 thereafter immediately make the report. Nothing in this Subsection is meant to
19 preclude any person from reporting fraud on their own accord.

- 20 C. The reporting requirements under this Section are individual, and no supervisor or
21 administrator may impede or inhibit any reporting under this Section. No person
22 making a report under this Section shall be subject to any sanction, including any
23 adverse employment action, for making such report. Every employer shall ensure that

1 any employee required to report pursuant to Section 13 Subsection A of this section
2 has immediate and unrestricted access to communications technology necessary to
3 make an immediate report and is temporarily relieved of other work duties for such
4 time as is required to make any report required under Section 13 Subsection A of this
5 Ordinance.

6 D. In addition to those persons and officials required to report actual or suspected fraud,
7 any person may report in accordance with this Section.

8 E. Any person may also report the suspicion of fraud to any law enforcement agency and
9 receive the same protections under this Section. Such report shall not, however, take
10 the place of reporting to The Comptroller, The Director of Personnel, and The City
11 Counselor.

12 F. Any violations of this Section by a Contract Recipient or any of their employees shall
13 include any and all remedies outlined in Section 8 until satisfactorily resolved by the
14 City.

15 G. Any violation of this Section by a City employee shall be resolved, primarily by the
16 Civil Service Commission, and secondarily by the Appointing Authority if the
17 employee is not covered under the Civil Service Commission.

18 **SECTION FIFTEEN. Delivery of Ordinance.**

19 The Clerk of the Board of Aldermen within the City, or their documented designee, is hereby
20 authorized to deliver a duly executed copy of this Ordinance to the Directors, or Executives, of
21 the City Departments, together with any other relevant documents the Clerk sees fit in order to
22 educate these aforementioned individuals on the advance payment program and its requirements
23 as outlined within this Ordinance.