

1 Introduced by the Council President at the request of the Mayor and  
2 Co-Sponsored by Council Members Clark-Murray and Johnson and amended  
3 by the Neighborhoods, Community Services, Public Health and Safety  
4 Committee:

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7 **ORDINANCE 2024-426-E**

8 AN ORDINANCE EXPANDING THE USES OF EMERGENCY  
9 RENTAL ASSISTANCE PROGRAM (ROUND TWO) ("ERA2  
10 PROGRAM") GRANT FUNDS FROM THE U.S. DEPARTMENT  
11 OF THE TREASURY, TO INCLUDE AFFORDABLE RENTAL  
12 HOUSING PURPOSES, AND EXTENDING THE LOCAL  
13 ADMINISTRATION OF THE ERA2 PROGRAM FROM  
14 SEPTEMBER 30, 2023 TO SEPTEMBER 30, 2025, ALL AS  
15 PREVIOUSLY AUTHORIZED IN ORDINANCE 2023-148-E,  
16 AND IN ACCORDANCE WITH THE EMERGENCY RENTAL  
17 ASSISTANCE PROGRAM ESTABLISHED BY SECTION 501,  
18 DIVISION N, OF THE CONSOLIDATED APPROPRIATIONS  
19 ACT, 2021; INVOKING THE EXEMPTION IN SECTION  
20 126.107(G) (EXEMPTIONS), PART 1 (GENERAL  
21 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),  
22 *ORDINANCE CODE*, TO ALLOW FOR DIRECT CONTRACTS  
23 WITH I.M. SULZBACHER CENTER FOR THE HOMELESS,  
24 INC., DUVAL MF PARTNERS, LLC, NORTHWEST  
25 JACKSONVILLE COMMUNITY DEVELOPMENT CORPORATION,  
26 ARTS VILLAGE EASTSIDE, LLC, AND FOBT PIPELINE  
27 INC., FOR DEVELOPMENT OF AFFORDABLE HOUSING AS  
28 DESCRIBED HEREIN; APPROVING, AND AUTHORIZING THE  
29 MAYOR, OR HER DESIGNEE, AND THE CORPORATION  
30 SECRETARY TO EXECUTE AND DELIVER AGREEMENTS WITH  
31 I.M. SULZBACHER CENTER FOR THE HOMELESS, INC.,

1 DUVAL MF PARTNERS, LLC, NORTHWEST JACKSONVILLE  
2 COMMUNITY DEVELOPMENT CORPORATION, ARTS VILLAGE  
3 EASTSIDE, LLC, AND FOBT PIPELINE INC., FOR  
4 DEVELOPMENT OF AFFORDABLE HOUSING IN DUVAL  
5 COUNTY, FLORIDA; PROVIDING FOR OVERSIGHT;  
6 PROVIDING AN EFFECTIVE DATE.

7  
8 **WHEREAS**, grant funds have been made available to the City  
9 through a reallocation of Emergency Rental Assistance Program (Round  
10 Two) (the "ERA2 Program") grant funds by the U.S. Department of the  
11 Treasury ("Treasury") under Section 501(d), Division N, of the  
12 Consolidated Appropriations Act, 2021 (the "Act"), in the amount of  
13 \$6,374,458.34 (the "ERA2 Funds"), of which \$4,374,458.34 has been  
14 allocated to the Housing and Community Development Division of the  
15 Neighborhoods Department and \$2,000,000.00 has been allocated to the  
16 Social Services Division of the Parks, Recreation and Community  
17 Services Department pursuant to Ordinance 2023-148-E; and

18 **WHEREAS**, Ordinance 2023-148-E appropriated the ERA2 Funds to  
19 be used for the provision of emergency rent and utility assistance  
20 on a short-term basis to eligible households in Duval County, Florida,  
21 to prevent evictions and homelessness in accordance with the ERA2  
22 Program established by the Act, and provided that the ERA2 Funds were  
23 authorized to be used through September 30, 2023;

24 **WHEREAS**, the Act and the guidance provided by Treasury provides  
25 that ERA2 Funds may be used for additional expenses and broader  
26 purposes than those set forth in Ordinance 2023-148-E, including  
27 certain eligible affordable rental housing purposes, and that such  
28 expenses may be incurred between March 13, 2020 through September 30,  
29 2025; and

30 **WHEREAS**, the City now desires to use the ERA2 Funds for such  
31 broader purpose including eligible affordable rental housing purposes

1 through September 30, 2025 as further described herein; now therefore

2 **BE IT ORDAINED** by the Council of the City of Jacksonville:

3 **Section 1. Purpose.** The purpose of the appropriation in  
4 Ordinance 2023-148-E is expanded so that the ERA2 Funds may be used  
5 for all lawful uses as set forth in the Act and the guidance provided  
6 by Treasury, including payment of rent, rent arrears, utilities and  
7 home energy costs, utilities and home energy costs arrears, affordable  
8 rental housing purposes and other expenses related to housing incurred  
9 by eligible households due, directly or indirectly, to the COVID-19  
10 pandemic, in compliance with the Act. Specifically, the City intends  
11 to use the ERA2 Funds to support the development of affordable housing  
12 in Duval County, Florida, by I.M. Sulzbacher Center for the Homeless,  
13 Inc. ("Sulzbacher") for the Sulzbacher Enterprise Village project,  
14 Duval MF Partners, LLC ("Duval MF") for the Avery II Multi-Family  
15 Project, Northwest Jacksonville Community Development Corporation  
16 ("NWJCDC") for a housing development in the Myrtle/Moncrief area,  
17 Arts Village Eastside, LLC ("Arts Village") for the Arts Village  
18 Eastside (The Ave) project, and FOBT Pipeline Inc. ("FOBT") for the  
19 Green District Project, all as further described in the project  
20 details attached hereto as **Exhibit 1** and incorporated herein by this  
21 reference.

22 **Section 2. Administration of the ERA2 Program.** The City's  
23 local administration of the ERA2 Program is hereby extended so that  
24 it may be conducted through September 30, 2025.

25 **Section 3. Invoking the Exemption in Section 126.107(g),**  
26 **Ordinance Code.** The City is hereby authorized to directly procure  
27 the professional services of the following entities for development  
28 of affordable housing in Duval County, Florida, as described in  
29 **Exhibit 1:** I.M. Sulzbacher Center for the Homeless, Inc., Duval MF  
30 Partners, LLC, Northwest Jacksonville Community Development  
31 Corporation, Arts Village Eastside, LLC, and FOBT Pipeline Inc.

1 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General  
2 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such  
3 procurement is exempted from competitive solicitation because the  
4 supplies or services are to be provided by those specifically  
5 prescribed within authorizing legislation that appropriates the same.  
6 With the exception of the foregoing, all other provisions of Chapter  
7 126, *Ordinance Code*, shall remain in full force and effect. The  
8 agreements may include such additions, deletions and changes as may  
9 be reasonable, necessary and incidental for carrying out the purposes  
10 thereof, as may be acceptable to the Mayor, or her designee; provided  
11 however, such modifications shall be technical only, subject to  
12 appropriate legal review and approval by the Office of General  
13 Counsel, and shall be undertaken in compliance with any applicable  
14 requirements of the ERA2 Program, the Act, and all related laws,  
15 consistent with the intent of this Ordinance. For the purposes of  
16 this Ordinance, the term "technical changes" is defined as those  
17 changes having no financial impact to the City and any other non-  
18 substantive changes.

19 **Section 4. Approval and Authorization to Execute**  
20 **Agreements.** The Mayor, or her designee, and the Corporation Secretary  
21 are hereby authorized to execute and deliver on behalf of the City  
22 agreements with the following entities in the listed not-to-exceed  
23 amounts: I.M. Sulzbacher Center for the Homeless, Inc. (\$2,000,000),  
24 Duval MF Partners, LLC (\$1,250,000), Northwest Jacksonville Community  
25 Development Corporation (\$500,000), Arts Village Eastside, LLC  
26 (\$300,000), and FOBT Pipeline Inc. (\$324,458.34), and all other  
27 contracts and documents, including extensions, renewals and  
28 amendments to the agreements, and to otherwise take all action  
29 necessary to effectuate the intent of this Ordinance, subject to  
30 appropriate legal review and approval by the General Counsel, or his  
31 or her designee, and the City's Risk Management Division for

1 appropriate insurance and indemnification requirements in accordance  
2 with Section 128.601, *Ordinance Code*.

3       **Section 5.       Oversight Department.** The Social Services  
4 Division of the Parks, Recreation and Community Services Department,  
5 and the Housing and Community Development Division of the  
6 Neighborhoods Department shall continue to oversee the administration  
7 and distribution of their respective allocations of ERA2 Funds in  
8 accordance with the Act.

9       **Section 6.       Effective Date.** This Ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

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13 Form Approved:

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15           /s/ Mary E. Staffopoulos          

16 Office of General Counsel

17 Legislation Prepared By: Joelle J. Dillard

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