

1 Introduced by the Council President at the Request of the Mayor and  
2 Co-Sponsored by Council Members White, Newby, Hazouri, Freeman,  
3 DeFoor ,Salem ,Cumber ,Ferraro , Becton, Morgan, Priestly Jackson,  
4 Diamond, Bowman, Carlucci, Dennis, Pittman, Carrico, R. Gaffney &  
5 Boylan:

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8 **ORDINANCE 2020-765**

9 AN ORDINANCE MAKING CERTAIN FINDINGS AND  
10 APPROPRIATING \$6,000,000.00 IN CORONAVIRUS  
11 AID, RELIEF, AND ECONOMIC SECURITY ("CARES")  
12 ACT FUNDING, AS INITIATED BY B.T. 21-029;  
13 AUTHORIZING DISBURSEMENT OF \$1,772,963.20 TO  
14 THE COVID-19 SMALL BUSINESS RELIEF GRANT  
15 PROGRAM (WHICH WILL CONTINUE TO BE  
16 ADMINISTERED BY FIDELITY NATIONAL INFORMATION  
17 SERVICES) TO BE USED FOR SMALL BUSINESS RELIEF  
18 GRANTS TO ELIGIBLE ENTITIES, \$1,500,000.00 IN  
19 ADDITIONAL FUNDING TO THE JACKSONVILLE BAR  
20 ASSOCIATION, INC. FOR CONTINUED OPERATION AND  
21 ADMINISTRATION OF THE EVICTION AND FORECLOSURE  
22 PREVENTION PROGRAM, \$1,000,000.00 IN BUSINESS  
23 RELIEF GRANT FUNDS TO THE JACKSONVILLE  
24 ZOOLOGICAL SOCIETY, INC. TO COVER ECONOMIC  
25 LOSSES FROM CONTINUED BUSINESS INTERRUPTION  
26 DUE TO COVID-19, \$750,000.00 TO PROVIDE  
27 FUNDING TO OFFSET WORKERS' COMPENSATION  
28 EXPENDITURES INCURRED BY THE CITY AS A DIRECT  
29 RESULT OF COVID-19, \$500,000.00 IN BUSINESS  
30 RELIEF GRANT FUNDS TO DUVAL COUNTY FAIR  
31 ASSOCIATION, INC. D/B/A GREATER JACKSONVILLE

1 AGRICULTURAL FAIR ASSOCIATION TO COVER  
2 ECONOMIC LOSSES INCURRED DUE TO CANCELLATION  
3 OF THE GREATER JACKSONVILLE AGRICULTURAL FAIR  
4 AS A DIRECT RESULT OF COVID-19, AND  
5 \$477,036.80 TO THE BUSINESS RELIEF GRANT  
6 PROGRAM ESTABLISHED PURSUANT TO ORDINANCE  
7 2020-328-E TO PROVIDE FUNDING TO THOSE FOR-  
8 PROFIT AND NON-PROFIT BUSINESSES AND IN SUCH  
9 AMOUNTS AS SET FORTH IN EXHIBIT 3 ATTACHED  
10 HERETO; AUTHORIZING THE CITY TO ENTER INTO AN  
11 AMENDMENT TO THE AGREEMENT WITH FIDELITY  
12 NATIONAL INFORMATION SERVICES; AUTHORIZING THE  
13 CITY TO ENTER INTO AN AMENDMENT TO THE  
14 AGREEMENT WITH THE JACKSONVILLE BAR  
15 ASSOCIATION, INC.; AUTHORIZING THE CITY TO  
16 ENTER INTO A GRANT AGREEMENT WITH THE  
17 JACKSONVILLE ZOOLOGICAL SOCIETY, INC.;  
18 AUTHORIZING THE CITY TO ENTER INTO A GRANT  
19 AGREEMENT WITH DUVAL COUNTY FAIR ASSOCIATION,  
20 INC. D/B/A GREATER JACKSONVILLE AGRICULTURAL  
21 FAIR ASSOCIATION; AUTHORIZING THE CITY TO  
22 ENTER INTO COVID-19 BUSINESS GRANT AGREEMENTS  
23 WITH VARIOUS BUSINESS RELIEF GRANT PROGRAM  
24 GRANT RECIPIENTS; AUTHORIZING THE CITY TO  
25 ENTER INTO AMENDMENTS TO EXISTING AGREEMENTS  
26 WITH CARES ACT FUNDING RECIPIENTS AS NECESSARY  
27 TO RE-ALLOCATE CARES ACT FUNDS AS SET FORTH  
28 HEREIN; INVOKING THE EXCEPTION OF 126.107(G)  
29 (EXEMPTIONS), CHAPTER 126 (PROCUREMENT CODE),  
30 ORDINANCE CODE, TO DIRECT CONTRACT WITH  
31 FIDELITY NATIONAL INFORMATION SERVICES, THE

1 JACKSONVILLE BAR ASSOCIATION, INC., THE  
2 JACKSONVILLE ZOOLOGICAL SOCIETY, INC., DUVAL  
3 COUNTY FAIR ASSOCIATION, INC. D/B/A GREATER  
4 JACKSONVILLE AGRICULTURAL FAIR ASSOCIATION,  
5 AND VARIOUS GRANT RECIPIENTS; PROVIDING FOR  
6 OVERSIGHT BY THE FINANCE AND ADMINISTRATION  
7 DEPARTMENT; PROVIDING FOR COMPLIANCE WITH  
8 APPLICABLE CARES ACT GRANT FUNDING  
9 REQUIREMENTS; REQUESTING EMERGENCY PASSAGE  
10 UPON INTRODUCTION; PROVIDING AN EFFECTIVE  
11 DATE.

12  
13 **WHEREAS**, pursuant to Ordinances 2020-235-E and 2020-378-E the  
14 City appropriated approximately \$167,120,861.00 of CARES Act grant  
15 funding from the U.S. Department of Treasury to fund various grants  
16 and other programs designed to provide economic relief and  
17 assistance to individuals and businesses throughout Duval County,  
18 Florida suffering severe economic impacts stemming in part from  
19 national, state and local measures closing certain businesses,  
20 public schools, public beaches, imposing emergency work-at-home  
21 requirements and limiting public gatherings (the "Emergency  
22 Measures") in an effort to slow the infection rate of COVID-19; and

23 **WHEREAS**, recognizing the CARES Act requires that all eligible  
24 costs be incurred on or before December 30, 2020, all funds  
25 appropriated pursuant to Ordinances 2020-235-E and 2020-378-E were  
26 required to be disbursed before November 1, 2020 at which time all  
27 unencumbered funds would be subject to re-appropriation for other  
28 eligible expenses subject to City Council approval; and

29 **WHEREAS**, as elsewhere in the country, the citizens and  
30 businesses of Duval County continue to suffer severe economic  
31 impacts stemming from COVID-19; and

1           **WHEREAS**, the City desires to appropriate and authorize  
2 disbursement of \$6,000,000.00 of CARES Act funding previously  
3 appropriated to various grant and relief programs established by  
4 the City to provide additional assistance to individuals and  
5 businesses suffering from the continued economic impact of COVID-19  
6 and the Emergency Measures as more fully set forth herein; now  
7 therefore

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

9           **Section 1. Findings.** It is hereby ascertained,  
10 determined, found and declared as follows:

11           (a) The recitals set forth herein are true and correct.

12           (b) The grants and actions authorized hereby will provide  
13 economic relief to individuals and businesses located in Duval  
14 County, Florida, thus encouraging ongoing compliance with the  
15 Emergency Measures and benefitting the health, safety and welfare  
16 of the citizens of Duval County.

17           (c) The provision of the City's assistance as set forth  
18 herein is necessary and appropriate, and the City's assistance is  
19 reasonable and not excessive, taking into account the extent of the  
20 public benefits expected to be derived from the grants and other  
21 relief authorized hereby, and taking into account all other forms  
22 of assistance available.

23           (d) The authorizations provided by this ordinance are for  
24 public uses and purposes for which the City may use its powers as a  
25 county, municipality and as a political subdivision of the State of  
26 Florida and may expend public funds, and the necessity in the  
27 public interest for the provisions herein enacted is hereby  
28 declared as a matter of legislative determination.

29           (e) This ordinance is adopted pursuant to the provisions of  
30 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's  
31 Charter, and other applicable provisions of law.

1           **Section 2.           Appropriation.** For the 2020-2021 fiscal year,  
2 within the City's budget, there are hereby appropriated the  
3 indicated sum(s) from the account(s) listed in subsection (a) to  
4 the account(s) listed in subsection (b):

5 (B.T. 21-029 is attached hereto as **Exhibit 1** and incorporated  
6 herein by this reference)

7           (a) Appropriated from:

8                   See attached **Exhibit 1**                   \$6,000,000.00

9           (b) Appropriated to:

10                   See attached **Exhibit 1**                   \$6,000,000.00

11           (c) **Explanation of Appropriation:**

12           The funding appropriated above is a transfer of  
13 \$6,000,000.00 of unexpended Coronavirus Aid, Relief, and  
14 Economic Security Act grant funds as follows: (1)  
15 \$4,200,000.00 from the VyStar Small Business Relief  
16 Program, (2) \$910,000.00 from the COVID-19 testing and  
17 other health needs contingency fund, (3) \$748,577.00 from  
18 the rent, loan, lease and parking fee relief contingency  
19 fund, (4) \$101,925.00 from the Business Relief Grant  
20 Program created by Ordinance 2020-328-E, (5) \$31,250.00  
21 from the Mortgage, Rent and Utilities Relief Program, (6)  
22 \$8,000.00 from the Small Business Relief Grant Program  
23 created by 2020-247-E, and (7) \$248.00 from the COVID-19  
24 Senior and Disabled Financial Assistance Program. This  
25 re-allocation of funds will be used to provide additional  
26 assistance to individuals and businesses suffering from  
27 the continued economic impact of COVID-19 and to cover  
28 costs incurred by the City for Workers' Compensation  
29 expenses incurred as a direct result of COVID-19.

30           **Section 3.           Purpose.** The purpose of the appropriation in  
31 Section 2 is to: (1) provide \$1,772,963.20 in small business relief

1 grant funding via pay cards to eligible small businesses located in  
2 Duval County to partially combat the economic impacts of COVID-19  
3 (the "Small Business Relief Program") which will continue to be  
4 administered by Fidelity National Information Services (FIS); (2)  
5 provide \$1,500,000.00 in additional funding to The Jacksonville Bar  
6 Association, Inc. for continued operation and administration of the  
7 Eviction and Foreclosure Prevention Program in accordance with the  
8 supplemental program budget in **Exhibit 2** attached hereto and  
9 incorporated herein by reference; (3) provide \$1,000,000.00 in  
10 business relief grant funds to The Jacksonville Zoological Society,  
11 Inc. to cover economic losses stemming from continued business  
12 interruption due to COVID-19; (4) provide \$750,000.00 to offset  
13 Workers' Compensation expenditures incurred by the City as a direct  
14 result of COVID-19; (5) provide \$500,000.00 in business relief  
15 grant funds to Duval County Fair Association, Inc. d/b/a Greater  
16 Jacksonville Agricultural Fair Association to cover economic losses  
17 incurred due to cancellation of the Greater Jacksonville  
18 Agricultural Fair as a direct result of COVID-19; and (6) provide  
19 \$477,036.80 to the Business Relief Grant Program established  
20 pursuant to Ordinance 2020-328-E to provide funding to those for-  
21 profit and non-profit business and in such amounts as set forth in  
22 **Exhibit 3** attached hereto and incorporated herein by this  
23 reference.

24 **Section 4. Authorizing the City to enter into an**  
25 **Amendment to the agreement with Fidelity National Information**  
26 **Services (FIS).** The City is hereby authorized to enter into an  
27 Amendment to the Agreement with Fidelity National Information  
28 Services for continued administration of the Small Business Relief  
29 Program, and to also allow for a negotiated compensation to FIS.  
30 This Amendment will provide an additional \$1,772,963.20 in funding  
31 for the Small Business Relief Program, which will be distributed in

1 the form of cards in the same process as described in Ordinances  
2 2020-247-E and 2020-380-E.

3         **Section 5. Authorizing the City to enter into an**  
4 **Amendment to the agreement with The Jacksonville Bar Association,**  
5 **Inc. (JBA).** The City is hereby authorized to enter into an  
6 Amendment to the Agreement with The Jacksonville Bar Association,  
7 Inc. to provide an additional \$1,500,000.00 in funding for the  
8 JBA's continued operation and administration of the Eviction and  
9 Foreclosure Prevention Program established pursuant to Ordinance  
10 2020-673-E in accordance with the terms and conditions of the  
11 Federal Subrecipient Agreement between the City and JBA, as may be  
12 amended, and **Exhibit 2.**

13         **Section 6. Approval and authorization to execute a grant**  
14 **agreement between the City and The Jacksonville Zoological Society,**  
15 **Inc. (JZS).** The Mayor, or his designee, and the Corporation  
16 Secretary are hereby authorized to execute a standard COVID-19  
17 Business Grant Agreement with The Jacksonville Zoological Society,  
18 Inc. in a not to exceed amount of \$1,000,000.00, to be used to  
19 offset continued COVID-19 business interruption expenses and  
20 economic losses of JZS, subject to the terms and restrictions of  
21 the CARES Act. The Agreement may include such additions, deletions  
22 and changes as may be reasonable, necessary and incidental for  
23 carrying out the purposes thereof, as may be acceptable to the  
24 Mayor, or his designee, with such inclusion and acceptance being  
25 evidenced by execution of the Agreement by the Mayor, or his  
26 designee; provided however, no modifications to the Agreement may  
27 increase the financial obligations or liability of the City, and  
28 any such modifications shall be subject to appropriate legal review  
29 and approval by the Office of General Counsel.

30         **Section 7. Approval and authorization to execute a grant**  
31 **agreement between the City and Duval County Fair Association, Inc.**

1 **d/b/a Greater Jacksonville Agricultural Fair Association.** The  
2 Mayor, or his designee, and the Corporation Secretary are hereby  
3 authorized to execute a standard COVID-19 Business Grant Agreement  
4 with Duval County Fair Association, Inc., d/b/a Greater  
5 Jacksonville Agricultural Fair Association in a not to exceed  
6 amount of \$500,000.00, to be used to offset economic harm from  
7 business interruption due to cancellation of the Greater  
8 Jacksonville Agricultural Fair as a direct result of COVID-19,  
9 subject to the terms and restrictions of the CARES Act. The  
10 Agreement may include such additions, deletions and changes as may  
11 be reasonable, necessary and incidental for carrying out the  
12 purposes set forth in this ordinance, as may be acceptable to the  
13 Mayor, or his designee, with such inclusion and acceptance being  
14 evidenced by execution of the Agreement by the Mayor, or his  
15 designee; provided however, no modifications to the Agreement may  
16 increase the financial obligations or liability of the City, and  
17 any such modifications shall be subject to appropriate legal review  
18 and approval by the Office of General Counsel.

19 **Section 8. Approval and authorization to execute COVID-19**  
20 **Business Grant Agreements with various grant recipients.** There is  
21 hereby approved, and the Mayor, or his designee, and the  
22 Corporation Secretary are hereby authorized to execute and deliver  
23 standard COVID-19 Business Grant Agreements (the "Agreements")  
24 between the City of Jacksonville and the grant recipients and in  
25 such amounts as identified in **Exhibit 3**, subject to the terms and  
26 restrictions of the City's Business Relief Grant Program  
27 established pursuant to Ordinance 2020-328-E and the CARES Act.  
28 The Agreements may include such additions, deletions and changes as  
29 may be reasonable, necessary and incidental for carrying out the  
30 purposes set forth in this ordinance, including any amendments  
31 deemed necessary to comply with federal law applicable to the grant



1 funds authorized by the Agreements, as may be acceptable to the  
2 Mayor, or his designee, with such inclusion and acceptance being  
3 evidenced by execution of an Agreement with the respective grant  
4 recipient by the Mayor, or his designee; provided however, no  
5 modifications to the Agreements may increase the financial  
6 obligations or liability of the City, and any such modifications  
7 shall be subject to appropriate legal review and approval by the  
8 Office of General Counsel.

9       **Section 9. Amendments to existing agreements approved and**  
10 **execution authorized.** There is hereby approved, and the Mayor, or  
11 his designee, and the Corporation Secretary are hereby authorized  
12 to execute and deliver any and all amendments to existing  
13 agreements with various recipients of CARES Act funding from the  
14 City to withdraw any funds not already incurred and/or to reduce  
15 the maximum indebtedness of the City as necessary to re-allocate  
16 said CARES Act funds to various programs and other relief efforts  
17 as more fully set forth herein.

18       **Section 10. Invoking the exception to Section 126.107(g),**  
19 **Ordinance Code.** The City is hereby authorized to enter into direct  
20 agreements or amendments to agreements, as authorized herein, with  
21 Fidelity National Information Services, Inc., The Jacksonville Bar  
22 Association, Inc., The Jacksonville Zoological Society, Inc., Duval  
23 County Fair Association, Inc. d/b/a Greater Jacksonville  
24 Agricultural Fair Association, and the grant recipients set forth  
25 on **Exhibit 3** for the purposes of providing COVID-19 relief and  
26 assistance as more fully set forth herein. Pursuant to Section  
27 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126  
28 (Procurement Code), Ordinance Code, such procurement is exempted  
29 from competitive solicitation because the supplies or services are  
30 to be provided by those specifically prescribed within authorizing  
31 legislation that appropriates the same. With the exception of the

1 foregoing, all other provisions of Chapter 126, Ordinance Code,  
2 shall remain in full force and effect. The failure of any entity  
3 identified herein to enter into the applicable agreement or  
4 amendment to agreement with the City shall render such entity  
5 ineligible to receive the grant funds authorized hereby.

6 **Section 11. Oversight Department.** The Finance and  
7 Administration Department shall provide oversight for all  
8 contracts, contract amendments, and expenditures authorized  
9 hereunder.

10 **Section 12. Compliance with applicable CARES Act**  
11 **grant funding requirements.** Fidelity National Information  
12 Services, Inc., The Jacksonville Bar Association, Inc., The  
13 Jacksonville Zoological Society, Inc., Duval County Fair  
14 Association, Inc. d/b/a Greater Jacksonville Agricultural Fair  
15 Association, and the grant recipients set forth on **Exhibit 3** shall  
16 comply with all applicable CARES Act grant requirements in their  
17 respective management and use of the CARES Act funds provided  
18 pursuant to this ordinance, including but not limited to, the audit  
19 requirements attached hereto as **Exhibit 4**.

20 **Section 13. Requesting emergency passage pursuant to**  
21 **Council Rule 4.901 Emergency.** Emergency passage upon introduction  
22 of this legislation is requested. The nature of the emergency is  
23 that the CARES Act requires that all eligible costs and expenses be  
24 incurred on or before December 30, 2020.

25 **Section 14. Effective Date.** This ordinance shall  
26 become effective upon signature by the Mayor or upon becoming  
27 effective without the Mayor's signature.

28  
29 Form Approved:

30  
31           /s/ Mary E. Staffopoulos

1 Office of General Counsel

2 Legislation prepared by: Mary E. Staffopoulos

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