

1 Introduced by Council Member Newby & Co-Sponsored by Council
2 Members Salem, Morgan, Carlucci, White, Gaffney, Bowman, Cumber,
3 Pittman, DeFoor, Hazouri, and Freeman and amended by the
4 Neighborhoods, Community Services, Public Health and Safety
5 Committee:

6
7
8 **ORDINANCE 2020-315-E**

9 AN ORDINANCE MAKING CERTAIN FINDINGS AND
10 APPROPRIATING \$25,000 FROM A CITY COUNCIL
11 OPERATING CONTINGENCY TO PROVIDE GRANTS UP TO
12 \$1,500 TO DOWNTOWN BUSINESSES IMPACTED BY THE
13 CIVIL UNREST IN DOWNTOWN JACKSONVILLE BETWEEN
14 MAY 30 - JUNE 1, 2020; PROVIDING FOR MONTHLY
15 REPORTS TO CITY COUNCIL; PROVIDING FOR
16 REVERTER OF UNSPENT FUNDS; REQUESTING THAT THE
17 FINANCE AND ADMINISTRATION DEPARTMENT OVERSEE
18 THE GRANT PROCESS AND PROGRAM; REQUESTING ONE
19 CYCLE EMERGENCY PASSAGE; PROVIDING AN
20 EFFECTIVE DATE.

21
22 **WHEREAS**, on May 30, 2020, a large number of individuals
23 gathered in Downtown Jacksonville to peacefully exercise their
24 First Amendment rights to conduct a peaceful protest; and

25 **WHEREAS**, at the conclusion of the protest and after the
26 majority of protesters departed, several hundred individuals began
27 to engage police and other first responders, resulting in several
28 police officers being attacked and one police officer getting
29 stabbed and requiring emergency medical services; burning,
30 destruction and defacing of public property; vandalism damage and

1 destruction against private property and extreme endangerment of
2 the public health, safety and welfare; and

3 **WHEREAS**, on May 31, 2020 and June 1, 2020, additional protests
4 were held in Downtown Jacksonville; and

5 **WHEREAS**, on May 31, 2020, Mayor Lenny Curry proclaimed and
6 declared a state of emergency exists in Duval County associated
7 with civil unrest in order to preserve the public peace and protect
8 the public health, safety and welfare against a repeat of the civil
9 unrest and violent actions occurring and associated with the public
10 demonstrations and protests currently being conducted; and

11 **WHEREAS**, the above referenced civil unrest occurred during a
12 time where many businesses were just reopening after a declared
13 state and national emergency to combat COVID-19; and

14 **WHEREAS**, as elsewhere in the country, the citizens and
15 businesses of Duval County are suffering severe economic impacts
16 stemming in part from national, state and local measures closing
17 certain businesses, public schools, public beaches, imposing
18 emergency work-at-home requirements and limiting public gatherings
19 (the "Emergency Measures") in an effort to slow the infection rate
20 of COVID-19; and

21 **WHEREAS**, as a result of COVID-19 and the resulting Emergency
22 Measures, the City desires to provide grants to eligible Downtown
23 businesses in Jacksonville in an effort to assist affected
24 businesses who received damage by the civil unrest between May 30 -
25 June 1, 2020; and

26 **WHEREAS**, disbursement of the grant funds pursuant to the
27 Program is intended to lessen the severe economic impacts of
28 property damages experienced as a direct result of the recent civil
29 unrest to business located in Downtown Jacksonville; now therefore

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

31 **Section 1. Findings.** It is hereby ascertained, determined,

1 found and declared as follows:

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

3 (b) By providing financial assistance for property damaged in
4 the civil unrest period between May 30 - June 1, 2020 to businesses
5 located in Downtown Jacksonville, the Program is designed to benefit
6 businesses affected and will promote and further the public and
7 municipal purposes of the City and serve to limit the severe
8 economic impacts of COVID-19.

9 (c) The Program is designed to provide rapid economic relief
10 to downtown businesses in order to maintain the viability of such
11 businesses by allowing them to repair property damage caused from
12 civil unrest between May 30 - June 1, 2020, thus maintaining the
13 City's tax base and revenues.

14 (d) The Program will provide economic relief to downtown
15 businesses, thus encouraging ongoing compliance with the Emergency
16 Measures and benefitting the health, safety and welfare of the
17 citizens of Duval County.

18 (e) The provision of the City's assistance as identified
19 herein is necessary and appropriate to make the Program feasible;
20 and the City's assistance is reasonable and not excessive, taking
21 into account the extent of the public benefits expected to be
22 derived from the Program, and taking into account all other forms of
23 assistance available.

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

30 (g) This Ordinance is adopted pursuant to the provisions of
31 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's

1 Charter, and other applicable provisions of law.

2 **Section 2. Appropriation.** For the 2019-2020 fiscal year,
3 within the City's budget, there are hereby appropriated the
4 indicated sum(s) from the account(s) listed in subsection (a) to
5 the account(s) listed in subsection (b):

6 (The account information is attached hereto as **Exhibit 1** and
7 incorporated herein by this reference)

8 (a) Appropriated from:
9 See attached **Exhibit 1** \$25,000

10 (b) Appropriated to:
11 See attached **Exhibit 1** \$25,000

12 (c) **Explanation of Appropriation:**
13 The funding above is from a City Council operating
14 contingency to the Downtown Businesses Financial
15 Assistance program. The funds will be used to provide
16 financial assistance to Downtown businesses that have
17 experienced additional expenses due to property damage
18 during civil unrest between May 30 - June 1, 2020.

19 **Section 3. Purpose.** The purpose of the appropriation in
20 Section 2 is to provide grants to eligible Downtown businesses in
21 Jacksonville to partially combat the economic impacts of property
22 damage due to civil unrest and assist in financial grants to repair
23 property damage.

24 **Section 4. Reverter.** Any funds that are not spent for the
25 purposes set forth in this Ordinance shall revert back to the
26 account of origin.

27 **Section 5. Downtown Businesses Financial Assistance**
28 **Program approved.** For a period of two months from the effective
29 date of this Ordinance, the City is authorized to award Financial
30 Assistance to eligible Downtown businesses in Jacksonville in the
31 amount up to \$1,500 to approved applicants in accordance with the

1 criteria attached hereto as **Revised Exhibit 2**, labeled as "Revised
2 Exhibit 2, Revised Criteria, June 15, 2020 - NCSPHS" and
3 incorporated herein reference. The program is designed to provide
4 financial assistance to downtown businesses that experienced
5 property damages as a result of the civil unrest between May 30 -
6 June 1, 2020. The funds can be used for repairs needed due to the
7 impacts created by the civil unrest. The City will make a one-time
8 payment of up to \$1,500 to approved applicants. The eligibility
9 criteria include that an applicant: (i) must be a business located
10 in Downtown Jacksonville; (ii) demonstrate an impact of property
11 damages or vandalism due to the civil unrest which occurred between
12 May 30 - June 1; (iii) the applying business must own the building
13 or represent that the business is responsible for the repairs to
14 the property; and (iv) only one grant shall be administered for
15 each business per address; (v) must provide a copy of the police
16 report; (vi) must provide copies of receipts documenting repair
17 costs or estimates for the work to be completed; and (vii) property
18 damages must not have otherwise been mitigated/covered.

19 **Section 6. Oversight Department.** The Finance and
20 Administration Department shall provide oversight for the Program
21 herein.

22 **Section 7. Monthly Report.** The Finance and
23 Administration Department is required to make a report monthly to
24 the City Council concerning the use of the funds authorized hereby
25 for the Program, including the number of recipients and dollar
26 amounts of the Grants.

27 **Section 8. Requesting One Cycle Emergency Passage**
28 **pursuant to Council Rule 4.901.** One cycle emergency passage of this
29 legislation is requested. The nature of the emergency is that the
30 impacts of the property destruction are ongoing and immediate
31 economic assistance will assist in the Downtown Jacksonville

1 businesses, who meet criteria in **Revised Exhibit 2**, labeled as
2 "Revised Exhibit 2, Revised Criteria, June 15, 2020 - NCSPHS", to
3 be able to repair damages and to take measures to open in
4 accordance with the permitted emergency orders.

5 **Section 9. Effective Date.** This ordinance shall become
6 effective upon signature by the Mayor or upon becoming effective
7 without the Mayor's signature.

8
9 Form Approved:

10
11 /s/ Margaret M. Sidman

12 Office of General Counsel

13 Legislation prepared by: Margaret M. Sidman

14 GC-#1371924-v1-2020-315-E.docx