

1 Introduced by Council Member Boylan and Co-Sponsored by Council
2 Members Pittman, Newby, and DeFoor:

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5 **ORDINANCE 2020-358-E**

6 AN ORDINANCE REGARDING THE CULTURAL COUNCIL OF
7 GREATER JACKSONVILLE; WAIVING THE PROVISIONS
8 IN SECTION 118.607(G) (ELIGIBILITY FOR CULTURAL
9 SERVICE GRANT), CHAPTER 118 (CITY GRANTS),
10 *ORDINANCE CODE*, FOR FISCAL YEAR 2019/2020 FOR
11 CERTAIN ENTITIES TO ALLOW FOR REDUCTION IN
12 OPERATING REVENUE REQUIREMENT; WAIVING THE
13 PROVISIONS IN SECTION 118.301(A) (5)
14 (EXPENDITURE OF APPROPRIATED FUNDS), CHAPTER
15 118 (CITY GRANTS), *ORDINANCE CODE*, TO ALLOW
16 CERTAIN GRANT RECIPIENTS TO EXPEND FUNDS UNTIL
17 DECEMBER 31, 2020; WAIVING THE PROVISIONS IN
18 SECTION 118.201(F) (3) (RELEASE OF
19 APPROPRIATIONS), *ORDINANCE CODE*, TO ALLOW
20 CERTAIN GRANT RECIPIENTS TO PROVIDE AN ANNUAL
21 REPORT ON OR BEFORE FEBRUARY 15, 2021;
22 AUTHORIZING THE CITY TO ENTER INTO AN
23 AMENDMENT TO THE GRANT AGREEMENT WITH THE
24 CULTURAL COUNCIL OF GREATER JACKSONVILLE;
25 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
26 PROVIDING AN EFFECTIVE DATE.

27
28 **WHEREAS**, recipients of city grants under Chapter 118,
29 *Ordinance Code*, are required to comply with certain funding and
30 reporting requirements as a condition of receiving grant funding
31 from the City; and

1 **WHEREAS**, the COVID-19 pandemic has drastically changed the
2 manner in which businesses can operate and since mid-March, 2020,
3 the City has encouraged that businesses operate to the extent
4 possible with employees working from home and with not opening
5 business buildings to employees, contract consultants or visitors
6 prior to the phased approach outlined by Governor DeSantis; and

7 **WHEREAS**, as a consequence of the approach utilized by state
8 and local government to minimize the least amount of contact
9 between individuals in order to prevent the spread of COVID-19,
10 Cultural Service Grant Program grant recipients ("grant
11 recipients") have been unable to complete some aspects of their
12 grant recipient requirements; and

13 **WHEREAS**, without legislative action to modify or extend
14 certain requirements, many grant recipients would be unable to meet
15 certain Ordinance Code requirements which would impact their
16 ability to comply with grant terms and possibly to apply for grant
17 programs in the future; and

18 **WHEREAS**, now more than ever, grant recipients need to be able
19 to access grant funding to provide services and programming to
20 individuals and groups who have also been affected by the COVID-19
21 pandemic; and

22 **WHEREAS**, the Council desires to waive and modify certain
23 requirements pertaining to these grant recipients which would allow
24 them additional time to address certain program requirements while
25 also allowing them time to spend their funding dollars beyond this
26 fiscal year so that they can continue to serve the citizens of
27 Jacksonville during this difficult time; now therefore

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

29 **Section 1. Waiver of the provisions in Section**
30 **118.607(g) (Eligibility for cultural service grant), Chapter 118**
31 **(City Grants), Ordinance Code, for Fiscal Year 2019/2020 for**

1 **certain entities to allow for reduction in operating revenue**
2 **requirement.** The City hereby waives the provision in Section
3 118.607(g) (Eligibility for cultural service grant), Chapter 118 (City
4 Grants), *Ordinance Code*, for the grant recipients listed in **Exhibit**
5 **1**, attached hereto and incorporated by reference herein, with
6 respect to the requirement that at least 76 percent of an
7 organization's operating revenue or support shall be derived from
8 sources other than the Cultural Services Grant Program. Instead,
9 for the purposes of the Fiscal Year 2019/2020, the Council hereby
10 modifies the requirement in Section 118.607(g) from "at least 76
11 percent" to "at least 50 percent" for those entities referenced in
12 **Exhibit 1**. This will allow the affected grant recipients
13 identified in **Exhibit 1** to adjust their operating revenues for the
14 offset to their non-City of Jacksonville revenue sources created by
15 the COVID-19 pandemic.

16 **Section 2. Waiver of the provisions in Section**
17 **118.301(a) (5) (Expenditure of appropriated funds), Chapter 118**
18 **(City Grants), *Ordinance Code*, to allow certain recipients to**
19 **expend funds until December 31, 2020.** The City hereby waives the
20 provisions in Section 118.301(a) (5) (Expenditure of appropriated
21 funds), Chapter 118 (City Grants), *Ordinance Code*, for the grant
22 recipients listed in **Exhibit 2**, attached hereto and incorporated by
23 reference herein, to the extent that the appropriation funds are
24 required to be expended during the City's Fiscal Year which ends on
25 September 30, 2020. For those grant recipients named in **Exhibit 2**,
26 the Council hereby extends the time for them to expend the funds
27 received in Fiscal Year 2019/2020 until December 31, 2020. This
28 will allow the affected grant recipients identified in **Exhibit 2**
29 additional time to expend funds since the COVID-19 pandemic has
30 already significantly affected their prior and current quarterly
31 spending.

1 **Section 3. Waiver of the provisions in Section**
2 **118.201(f) (3) (Release of appropriations), Ordinance Code, to allow**
3 **certain grant recipients to provide an annual report on or before**
4 **February 15, 2021.** The City hereby waives the provisions in
5 Section 118.201(f) (3) (Release of appropriations), Chapter 118
6 (City Grants), *Ordinance Code*, for the grant recipients listed in
7 **Exhibit 3**, attached hereto and incorporated by reference herein, to
8 the extent that it requires grant recipients to provide an annual
9 report for Fiscal Year 2019/2020 by November 15, 2020. For those
10 grant recipients named in **Exhibit 3**, the Council hereby extends the
11 timeframe for them to provide their annual report for Fiscal Year
12 2019/2020 until February 15, 2021. This will allow the affected
13 grant recipients identified in **Exhibit 3** additional time to make
14 their annual report since the request in Section 2 would extend the
15 time for them to expend funds due to the COVID-19 pandemic from
16 September 30, 2020 to December 31, 2020.

17 **Section 4. Requesting One Cycle Emergency Passage,**
18 **Pursuant to Council Rule 4.901 Emergency.** One cycle emergency
19 passage of this legislation is requested. The nature of the
20 emergency is that under existing Ordinance Code language, the
21 affected grant recipients identified in **Exhibits 1, 2 and 3**, would
22 likely not be able to comply with the provisions outlined in
23 Sections 1-3 above due to the strain that the COVID-19 pandemic has
24 created on businesses and non-profit organizations. In order to
25 give the affected grant recipients a level of comfort that they
26 will be given additional time to expend funds and additional time
27 to report use of the funds, and the fact that the Council meets
28 only one time in July, expediting of this legislation will be the
29 best interest of the grant recipients and will benefit the local
30 community served by these organizations.

1 **Section 5. Authorizing the City to enter into an**
2 **Amendment to the Grant Agreement with Cultural Council of Greater**
3 **Jacksonville, Inc.** There is hereby approved, and the Mayor, or his
4 designee, and Corporation Secretary are hereby authorized to
5 execute and deliver an Amendment to the Grant Agreement (7731-46)
6 with the Cultural Council of Greater Jacksonville, Inc. for the
7 purposes of effectuating the intent of the this legislation and
8 modifying certain requirements based on provisions within this
9 ordinance. The Amendment to the Grant Agreement shall be subject to
10 appropriate legal review and approval by the Office of General
11 Counsel.

12 **Section 6. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

15 Form Approved:

16
17 /s/ Paige H. Johnston

18 Office of General Counsel

19 Legislation Prepared By: Paige H. Johnston

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