

1 Introduced by the Council President at the request of the Mayor &
2 Co-Sponsored by Council Members Gaffney, Salem, Pittman, Ferraro,
3 Becton, Freeman, DeFoor, Priestly Jackson, Diamond, Dennis, White,
4 Morgan, Wilson, Hazouri and twice amended on the Floor of Council:
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7 **ORDINANCE 2020-673-E**

8 AN ORDINANCE APPROPRIATING \$5,300,000.00 IN
9 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY
10 ("CARES") ACT FUNDING FROM THE VYSTAR SMALL
11 BUSINESS RELIEF PROGRAM THAT IS NO LONGER
12 NEEDED BASED ON CURRENT UTILIZATION AND FROM
13 CONTRACTUAL SERVICES IN TESTING AND OTHER
14 HEALTH NEEDS TO CREATE A NEW EVICTION AND
15 FORECLOSURE PREVENTION PROGRAM (THE
16 "PROGRAM"), AS INITIATED BY B.T. 21-021;
17 PURPOSE; PROVIDING FOR APPROVAL OF THE PROGRAM
18 TERMS/SCOPE OF SERVICES AND THE PROGRAM
19 BUDGET; INVOKING THE EXCEPTION OF SECTION
20 126.107(g) (EXEMPTIONS), PART 1 (GENERAL
21 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
22 *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT
23 WITH THE JACKSONVILLE BAR ASSOCIATION, INC.;
24 APPROVING AND AUTHORIZING THE MAYOR, OR HIS
25 DESIGNEE, AND THE CORPORATION SECRETARY TO
26 EXECUTE AND DELIVER ON BEHALF OF THE CITY A
27 SERVICES AGREEMENT FOR THE PROGRAM BETWEEN THE
28 CITY AND THE JACKSONVILLE BAR ASSOCIATION,
29 INC., A FLORIDA NOT FOR PROFIT CORPORATION,
30 AND ALL OTHER CONTRACTS AND DOCUMENTS AND

1 OTHERWISE TAKE ALL NECESSARY ACTION TO
 2 IMPLEMENT THE PROGRAM, SUBJECT TO APPROPRIATE
 3 LEGAL REVIEW AND APPROVAL BY THE GENERAL
 4 COUNSEL, OR HIS OR HER DESIGNEE, AND THE
 5 CITY'S RISK MANAGEMENT DIVISION; PROVIDING FOR
 6 OVERSIGHT BY THE MAYOR'S OFFICE; PROVIDING FOR
 7 COMPLIANCE BY THE JACKSONVILLE BAR
 8 ASSOCIATION, INC. WITH ALL CARES ACT GRANT
 9 FUNDING REQUIREMENTS AND OTHER REQUIREMENTS AS
 10 PROVIDED BY LAW; WAIVING SECTION 110.112
 11 (ADVANCE OF CITY FUNDS; PROHIBITION AGAINST),
 12 PART 1 (THE CITY TREASURY), CHAPTER 110 (CITY
 13 TREASURY), ORDINANCE CODE, TO ALLOW FOR
 14 ADVANCE PAYMENT BY THE CITY; REQUESTING
 15 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
 16 AN EFFECTIVE DATE.

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

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

23 (B.T. 21-021 attached hereto as **Exhibit 1** and incorporated herein
 24 by this reference)

25 (a) Appropriated from:

26 See B.T. 21-021 \$5,300,000.00

27 (b) Appropriated to:

28 See B.T. 21-021 \$5,300,000.00

29 (c) **Explanation of Appropriation**

30 The funding above is a transfer of Coronavirus Aid,
 31 Relief, and Economic Security ("CARES") Act grant funding

1 from the Vystar Small Business Relief Program that is no
2 longer needed based on current utilization and from
3 contractual services in Testing and other Health Needs to
4 create a new Eviction and Foreclosure Prevention Program.

5 **Section 2. Purpose.** The purpose of the appropriation in
6 Section 1 is to provide funding to create a new Eviction and
7 Foreclosure Prevention Program (the "Program") to assist
8 individuals and businesses impacted by COVID-19 who are facing
9 potential eviction or foreclosure, as more fully described in the
10 Program Terms/Scope of Services and Budget, attached hereto as
11 **Exhibit 2** and incorporated herein by this reference and subject to
12 applicable CARES Act grant funding requirements. The Program will
13 be managed by The Jacksonville Bar Association, Inc. Individual
14 applicants may qualify for up to \$5,000.00 for bank-owed
15 rent/mortgage payments, and businesses may qualify for up to
16 \$10,000.00 for same. The funds appropriated herein shall be
17 allocated as follows: 2/3 for individual applicants and 1/3 for
18 business applicants.

19 **Section 3. Program Terms/Scope of Services and Budget**
20 **approved.** The Program Terms/Scope of Services and Budget for the
21 Program to assist individuals and businesses impacted by COVID-19
22 who are facing potential eviction or foreclosure, more fully
23 described in the Program Terms/Scope of Services and the Program
24 Budget, attached hereto as **Exhibit 2**, is hereby approved. The
25 eligibility criteria entitled "Residential Eviction and Foreclosure
26 Prevention Program" and "Commercial Eviction and Foreclosure
27 Prevention Program" is attached hereto as **Exhibit 4**.

28 **Section 4. Invoking the exception to Section 126.107(g),**
29 **Ordinance Code.** The City is hereby authorized to procure the
30 use of the professional services of The Jacksonville Bar
31 Association, Inc., to administer the Program. Pursuant to Section

1 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
2 (Procurement Code), *Ordinance Code*, such procurement is exempted
3 from competitive solicitation because the supplies or services are
4 to be provided by those specifically prescribed within authorizing
5 legislation that appropriates the same. With the exception of the
6 foregoing, all other provisions of Chapter 126, *Ordinance Code*,
7 shall remain in full force and effect. The Program Scope of
8 Services and Budget more particularly described in **Exhibit 2**
9 designates specific services to be performed by The Jacksonville
10 Bar Association, Inc., as a subrecipient/contractor for the City.

11 **Section 5. Authorizations.** The Mayor, or his designee,
12 and the Corporation Secretary are hereby authorized to execute and
13 deliver on behalf of the City a Services Agreement for the Program,
14 subject to the Scope of Services and Budget more particularly
15 described in Exhibit 2, and all other contracts and documents,
16 including extensions and amendments to the agreement, and otherwise
17 take all necessary action to implement the Program , subject to
18 appropriate legal review and approval by the General Counsel, or
19 his or her designee, and the City's Risk Management Division for
20 appropriate indemnification and insurance requirements.

21 **Section 6. Oversight department.** The Mayor's Office
22 shall oversee the Program.

23 **Section 7. Compliance with applicable CARES Act grant**
24 **requirements.** The Jacksonville Bar Association, Inc. will comply
25 with all applicable CARES Act grant requirements in managing the
26 Program, including but not limited to, the audit requirements
27 attached hereto as **Exhibit 3**.

28 **Section 8. Waiving Section 110.112, Ordinance Code.**
29 Section 110.112 (Advance of City funds; prohibition against), Part
30 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
31 is hereby waived to allow for advance payment for the Program.

1 **Section 9. Requesting Emergency Passage upon Introduction**
2 **pursuant to Council Rule 4.901.** Emergency passage of this
3 legislation is requested upon introduction. The nature of the
4 emergency is that individuals and businesses are facing imminent
5 eviction or foreclosure due to COVID-19 economic harm and are in
6 need of immediate relief. In addition, funds must be spent prior to
7 December 30, 2020, pursuant to the CARES Act.

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

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13 Form Approved:

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15 /s/ Margaret M. Sidman

16 Office of General Counsel

17 Legislation prepared by: James R. McCain, Jr.

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