

1 Introduced by Council Member Newby and Co-Sponsored by Council
2 Members Salem, Morgan, Carlucci, White, R. Gaffney, Bowman, Cumber,
3 Pittman, DeFoor, Hazouri and Freeman:

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5 **ORDINANCE 2020-315**

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

18
19 **WHEREAS**, on May 30, 2020, a large number of individuals
20 gathered in Downtown Jacksonville to peacefully exercise their
21 First Amendment rights to conduct a peaceful protest; and

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

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

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

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

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

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

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

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

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

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

30 (b) By providing financial assistance for property damaged in
31 the civil unrest period between May 30 - June 1, 2020 to businesses

1 located in Downtown Jacksonville, the Program is designed to benefit
2 businesses affected and will promote and further the public and
3 municipal purposes of the City and serve to limit the severe
4 economic impacts of COVID-19.

5 (c) The Program is designed to provide rapid economic relief
6 to downtown businesses in order to maintain the viability of such
7 businesses by allowing them to repair property damage caused from
8 civil unrest between May 31 - June 1, 2020, thus maintaining the
9 City's tax base and revenues.

10 (d) The Program will provide economic relief to downtown
11 businesses, thus encouraging ongoing compliance with the Emergency
12 Measures and benefitting the health, safety and welfare of the
13 citizens of Duval County.

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

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

26 (g) This Ordinance is adopted pursuant to the provisions of
27 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
28 Charter, and other applicable provisions of law.

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

1 the account(s) listed in subsection (b):

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

4 (a) Appropriated from:

5 See attached **Exhibit 1** \$25,000

6 (b) Appropriated to:

7 See attached **Exhibit 1** \$25,000

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

9 The funding above is from a City Council operating
10 contingency to the Downtown Businesses Financial
11 Assistance program. The funds will be used to provide
12 financial assistance to Downtown businesses that have
13 experienced additional expenses due to property damage
14 during civil unrest between May 30 - June 1, 2020.

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

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

23 **Section 5. Downtown Businesses Financial Assistance**
24 **Program approved.** For a period of two months from the effective
25 date of this Ordinance, the City is authorized to award Financial
26 Assistance to eligible Downtown businesses in Jacksonville in the
27 amount up to \$1,500 to approved applicants in accordance with the
28 criteria attached hereto as **Exhibit 2** and incorporated herein
29 reference. The program is designed to provide financial assistance
30 to downtown businesses that experienced property damages and
31 increased expenses as a result of the civil unrest between May 30 -

1 June 1, 2020. The funds can be used for repairs, added security
2 measures, or other businesses related expenses needed due to the
3 impacts created by the civil unrest. The City will make a one-time
4 payment of up to \$1,500 to approved applicants. The eligibility
5 criteria include that an applicant: (i) must be a business located
6 in Downtown Jacksonville; (ii) demonstrate an impact of property
7 damages or vandalism due to the civil unrest which occurred between
8 May 30 - June 1; (vii) the applying business must own the building
9 or represent that the business is responsible for the repairs to
10 the property; and (viii) only one grant shall be administered for
11 each business per address.

12 **Section 6. Oversight Department.** The Finance and
13 Administration Department shall provide oversight for the Program
14 herein.

15 **Section 7. Monthly Report.** The Finance and
16 Administration Department is required to make a report monthly to
17 the City Council concerning the use of the funds authorized hereby
18 for the Program, including the number of recipients and dollar
19 amounts of the Grants.

20 **Section 8. Requesting One Cycle Emergency Passage**
21 **pursuant to Council Rule 4.901.** One cycle emergency passage of this
22 legislation is requested. The nature of the emergency is that the
23 impacts of the property destruction are ongoing and immediate
24 economic assistance will assist in the Downtown Jacksonvilles
25 businesses, who meet criteria in **Exhibit 2**, to be able to repair
26 damages and to take meaasures to open in accordance with the
27 permitted emergency orders.

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

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Form Approved:

/s/ Margaret M. Sidman

Office of General Counsel

Legislation prepared by: Margaret M. Sidman

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