

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

6  
7

**ORDINANCE 2020-765-E**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

AN ORDINANCE MAKING CERTAIN FINDINGS AND  
APPROPRIATING \$6,000,000.00 IN CORONAVIRUS  
AID, RELIEF, AND ECONOMIC SECURITY ("CARES")  
ACT FUNDING, AS INITIATED BY REVISED B.T. 21-  
029; AUTHORIZING DISBURSEMENT OF \$1,772,963.20  
TO THE COVID-19 SMALL BUSINESS RELIEF GRANT  
PROGRAM (WHICH WILL CONTINUE TO BE  
ADMINISTERED BY FIDELITY NATIONAL INFORMATION  
SERVICES) TO BE USED FOR SMALL BUSINESS RELIEF  
GRANTS TO ELIGIBLE ENTITIES, \$1,500,000.00 IN  
ADDITIONAL FUNDING TO THE JACKSONVILLE BAR  
ASSOCIATION, INC. FOR CONTINUED OPERATION AND  
ADMINISTRATION OF THE EVICTION AND FORECLOSURE  
PREVENTION PROGRAM, \$1,000,000.00 IN BUSINESS  
RELIEF GRANT FUNDS TO THE JACKSONVILLE  
ZOOLOGICAL SOCIETY, INC. TO COVER ECONOMIC  
LOSSES FROM CONTINUED BUSINESS INTERRUPTION  
DUE TO COVID-19, \$750,000.00 TO PROVIDE  
FUNDING TO OFFSET WORKERS' COMPENSATION  
EXPENDITURES INCURRED BY THE CITY AS A DIRECT  
RESULT OF COVID-19, \$500,000.00 IN BUSINESS  
RELIEF GRANT FUNDS TO DUVAL COUNTY FAIR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

ASSOCIATION, INC. D/B/A GREATER JACKSONVILLE  
AGRICULTURAL FAIR ASSOCIATION TO COVER  
ECONOMIC LOSSES INCURRED DUE TO CANCELLATION  
OF THE GREATER JACKSONVILLE AGRICULTURAL FAIR  
AS A DIRECT RESULT OF COVID-19, AND  
\$477,036.80 TO THE BUSINESS RELIEF GRANT  
PROGRAM ESTABLISHED PURSUANT TO ORDINANCE  
2020-328-E TO PROVIDE FUNDING TO THOSE FOR-  
PROFIT AND NON-PROFIT BUSINESSES AND IN SUCH  
AMOUNTS AS SET FORTH IN EXHIBIT 3 ATTACHED  
HERETO; AUTHORIZING THE CITY TO ENTER INTO AN  
AMENDMENT TO THE AGREEMENT WITH FIDELITY  
NATIONAL INFORMATION SERVICES; AUTHORIZING THE  
CITY TO ENTER INTO AN AMENDMENT TO THE  
AGREEMENT WITH THE JACKSONVILLE BAR  
ASSOCIATION, INC.; AUTHORIZING THE CITY TO  
ENTER INTO A GRANT AGREEMENT WITH THE  
JACKSONVILLE ZOOLOGICAL SOCIETY, INC.;  
AUTHORIZING THE CITY TO ENTER INTO A GRANT  
AGREEMENT WITH DUVAL COUNTY FAIR ASSOCIATION,  
INC. D/B/A GREATER JACKSONVILLE AGRICULTURAL  
FAIR ASSOCIATION; AUTHORIZING THE CITY TO  
ENTER INTO COVID-19 BUSINESS GRANT AGREEMENTS  
WITH VARIOUS BUSINESS RELIEF GRANT PROGRAM  
GRANT RECIPIENTS; AUTHORIZING THE CITY TO  
ENTER INTO AMENDMENTS TO EXISTING AGREEMENTS  
WITH CARES ACT FUNDING RECIPIENTS AS NECESSARY  
TO RE-ALLOCATE CARES ACT FUNDS AS SET FORTH  
HEREIN; INVOKING THE EXCEPTION OF 126.107(G)  
(EXEMPTIONS), CHAPTER 126 (PROCUREMENT CODE),  
ORDINANCE CODE, TO DIRECT CONTRACT WITH

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

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

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

30 **WHEREAS**, as elsewhere in the country, the citizens and  
31 businesses of Duval County continue to suffer severe economic

1 impacts stemming from COVID-19; and

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

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

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

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

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

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

24 (d) 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  
28 public interest for the provisions herein enacted is hereby  
29 declared as a matter of legislative determination.

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

Charter, and other applicable provisions of law.

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

(Revised B.T. 21-029 is attached hereto as **Revised Exhibit 1**, labeled as “Revised Exhibit 1, Revised B.T. 21-029, December 8, 2020 - Floor” and incorporated herein by this reference)

(a) Appropriated from:

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

(b) Appropriated to:

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

(c) **Explanation of Appropriation:**

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

1 appropriation also reallocates the revenue for the  
2 purposes previously approved in Ordinance 2020-673-E.

3 **Section 3. Purpose.** The purpose of the appropriation in  
4 Section 2 is to: (1) provide \$1,772,963.20 in small business relief  
5 grant funding via pay cards to eligible small businesses located in  
6 Duval County to partially combat the economic impacts of COVID-19  
7 (the "Small Business Relief Program") which will continue to be  
8 administered by Fidelity National Information Services (FIS); (2)  
9 provide \$1,500,000.00 in additional funding to The Jacksonville Bar  
10 Association, Inc. for continued operation and administration of the  
11 Eviction and Foreclosure Prevention Program in accordance with the  
12 supplemental program budget in **Exhibit 2** attached hereto and  
13 incorporated herein by reference; (3) provide \$1,000,000.00 in  
14 business relief grant funds to The Jacksonville Zoological Society,  
15 Inc. to cover economic losses stemming from continued business  
16 interruption due to COVID-19; (4) provide \$750,000.00 to offset  
17 Workers' Compensation expenditures incurred by the City as a direct  
18 result of COVID-19; (5) provide \$500,000.00 in business relief  
19 grant funds to Duval County Fair Association, Inc. d/b/a Greater  
20 Jacksonville Agricultural Fair Association to cover economic losses  
21 incurred due to cancellation of the Greater Jacksonville  
22 Agricultural Fair as a direct result of COVID-19; and (6) provide  
23 \$477,036.80 to the Business Relief Grant Program established  
24 pursuant to Ordinance 2020-328-E to provide funding to those for-  
25 profit and non-profit business and in such amounts as set forth in  
26 **Exhibit 3** attached hereto and incorporated herein by this  
27 reference. The appropriation also reallocates the revenue for the  
28 purposes previously approved in Ordinance 2020-673-E.

29 **Section 4. Authorizing the City to enter into an**  
30 **Amendment to the agreement with Fidelity National Information**  
31 **Services (FIS).** The City is hereby authorized to enter into an

1 Amendment to the Agreement with Fidelity National Information  
2 Services for continued administration of the Small Business Relief  
3 Program, and to also allow for a negotiated compensation to FIS.  
4 This Amendment will provide an additional \$1,772,963.20 in funding  
5 for the Small Business Relief Program, which will be distributed in  
6 the form of cards in the same process as described in Ordinances  
7 2020-247-E and 2020-380-E.

8 **Section 5. Authorizing the City to enter into an**  
9 **Amendment to the agreement with The Jacksonville Bar Association,**  
10 **Inc. (JBA).** The City is hereby authorized to enter into an  
11 Amendment to the Agreement with The Jacksonville Bar Association,  
12 Inc. to provide an additional \$1,500,000.00 in funding for the  
13 JBA's continued operation and administration of the Eviction and  
14 Foreclosure Prevention Program established pursuant to Ordinance  
15 2020-673-E in accordance with the terms and conditions of the  
16 Federal Subrecipient Agreement between the City and JBA, as may be  
17 amended, and **Exhibit 2.**

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

1 increase the financial obligations or liability of the City, and  
2 any such modifications shall be subject to appropriate legal review  
3 and approval by the Office of General Counsel.

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

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

24 **Section 8. Approval and authorization to execute COVID-19**  
25 **Business Grant Agreements with various grant recipients.** There is

26 hereby approved, and the Mayor, or his designee, and the  
27 Corporation Secretary are hereby authorized to execute and deliver  
28 standard COVID-19 Business Grant Agreements (the "Agreements")  
29 between the City of Jacksonville and the grant recipients and in  
30 such amounts as identified in **Exhibit 3**, subject to the terms and  
31 restrictions of the City's Business Relief Grant Program



1 established pursuant to Ordinance 2020-328-E and the CARES Act.  
2 The Agreements may include such additions, deletions and changes as  
3 may be reasonable, necessary and incidental for carrying out the  
4 purposes set forth in this ordinance, including any amendments  
5 deemed necessary to comply with federal law applicable to the grant  
6 funds authorized by the Agreements, as may be acceptable to the  
7 Mayor, or his designee, with such inclusion and acceptance being  
8 evidenced by execution of an Agreement with the respective grant  
9 recipient by the Mayor, or his designee; provided however, no  
10 modifications to the Agreements may increase the financial  
11 obligations or liability of the City, and any such modifications  
12 shall be subject to appropriate legal review and approval by the  
13 Office of General Counsel.

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

23 **Section 10. Invoking the exception to Section 126.107(g),**  
24 **Ordinance Code.** The City is hereby authorized to enter into direct  
25 agreements or amendments to agreements, as authorized herein, with  
26 Fidelity National Information Services, Inc., The Jacksonville Bar  
27 Association, Inc., The Jacksonville Zoological Society, Inc., Duval  
28 County Fair Association, Inc. d/b/a Greater Jacksonville  
29 Agricultural Fair Association, and the grant recipients set forth  
30 on **Exhibit 3** for the purposes of providing COVID-19 relief and  
31 assistance as more fully set forth herein. 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 failure of any entity  
8 identified herein to enter into the applicable agreement or  
9 amendment to agreement with the City shall render such entity  
10 ineligible to receive the grant funds authorized hereby.

11 **Section 11. Oversight Department.** The Finance and  
12 Administration Department shall provide oversight for all  
13 contracts, contract amendments, and expenditures authorized  
14 hereunder.

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

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

1           **Section 14.                   Effective Date.** This ordinance shall  
2 become effective upon signature by the Mayor or upon becoming  
3 effective without the Mayor's signature.

4  
5 Form Approved:

6  
7 /s/ Paige H. Johnston

8 Office of General Counsel

9 Legislation prepared by: Mary E. Staffopoulos

10 GC-#1405736-v1-2020-765-E.docx

11

12

13