

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

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
31 OTHERWISE TAKE ALL NECESSARY ACTION TO

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

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

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

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

24 (a) Appropriated from:

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

26 (b) Appropriated to:

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

28 (c) **Explanation of Appropriation**

29 The funding above is a transfer of Coronavirus Aid,
30 Relief, and Economic Security ("CARES") Act grant funding
31 from the Vystar Small Business Relief Program that is no

1 longer needed based on current utilization and from
2 contractual services in Testing and other Health Needs to
3 create a new Eviction and Foreclosure Prevention Program.

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

16 **Section 3. Program Terms/Scope of Services and Budget**
17 **approved.** The Program Terms/Scope of Services and Budget for the
18 Program to assist individuals and businesses impacted by COVID-19
19 who are facing potential eviction or foreclosure, more fully
20 described in the Program Terms/Scope of Services and the Program
21 Budget, attached hereto as **Exhibit 2**, is hereby approved.

22 **Section 4. Invoking the exception to Section 126.107(g),**
23 **Ordinance Code.** The City is hereby authorized to procure the
24 use of the professional services of The Jacksonville Bar
25 Association, Inc., to administer the Program. Pursuant to Section
26 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
27 (Procurement Code), *Ordinance Code*, such procurement is exempted
28 from competitive solicitation because the supplies or services are
29 to be provided by those specifically prescribed within authorizing
30 legislation that appropriates the same. With the exception of the
31 foregoing, all other provisions of Chapter 126, *Ordinance Code*,

1 shall remain in full force and effect. The Program Scope of
2 Services and Budget more particularly described in **Exhibit 2**
3 designates specific services to be performed by The Jacksonville
4 Bar Association, Inc., as a subrecipient/contractor for the City.

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

15 **Section 6. Oversight department.** The Mayor's Office
16 shall oversee the Program.

17 **Section 7. Compliance with applicable CARES Act grant**
18 **requirements.** The Jacksonville Bar Association, Inc. will comply
19 with all applicable CARES Act grant requirements in managing the
20 Program, including but not limited to, the audit requirements
21 attached hereto as **Exhibit 3**.

22 **Section 8. Waiving Section 110.112, Ordinance Code.**
23 Section 110.112 (Advance of City funds; prohibition against), Part
24 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
25 is hereby waived to allow for advance payment for the Program.

26 **Section 9. Requesting Emergency Passage upon Introduction**
27 **pursuant to Council Rule 4.901.** Emergency passage of this
28 legislation is requested upon introduction. The nature of the
29 emergency is that individuals and businesses are facing imminent
30 eviction or foreclosure due to COVID-19 economic harm and are in
31 need of immediate relief. In addition, funds must be spent prior to

1 December 30, 2020, pursuant to the CARES Act.

2 **Section 10. Effective Date.** This ordinance shall
3 become effective upon signature by the Mayor or upon becoming
4 effective without the Mayor's signature.
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8 Form Approved:

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10 /s/ James R. McCain, Jr.

11 Office of General Counsel

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

13 GC-#1397719-v3-10_12_20_BT_21_021_CARES_Act_Foreclosure_and_Eviction_CA_Over_Waiver.docx