

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Member Clark-Murray:

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5 **ORDINANCE 2022-864-E**

6 AN ORDINANCE APPROPRIATING \$3,330,234.89 IN
7 ADDITIONAL REALLOCATED EMERGENCY RENTAL
8 ASSISTANCE PROGRAM GRANT FUNDS FROM THE U.S.
9 DEPARTMENT OF TREASURY TO PROVIDE EMERGENCY RENT
10 AND UTILITY ASSISTANCE TO ELIGIBLE HOUSEHOLDS IN
11 ACCORDANCE WITH THE EMERGENCY RENTAL ASSISTANCE
12 PROGRAM (THE "ERA PROGRAM") ESTABLISHED BY
13 SECTION 501 OF DIVISION N OF THE CONSOLIDATED
14 APPROPRIATIONS ACT, 2021 (THE "ACT") TO MITIGATE
15 THE IMPACTS OF THE CORONAVIRUS ("COVID-19")
16 PANDEMIC, AS INITIATED BY B.T. 23-026; APPROVING
17 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
18 THE CORPORATION SECRETARY TO EXECUTE AND DELIVER
19 AN AMENDMENT TO THE FEDERAL SUBRECIPIENT
20 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
21 CIVITAS COMMUNITY DEVELOPMENT, LLC D/B/A
22 CIVITAS, LLC; WAIVING SECTION 110.112 (ADVANCE
23 OF CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE
24 CITY TREASURY), CHAPTER 110 (CITY TREASURY),
25 ORDINANCE CODE, TO ALLOW FOR ADVANCE PAYMENT TO
26 CIVITAS, LLC AS DESCRIBED IN THIS ORDINANCE;
27 FURTHER AUTHORIZATIONS; PROVIDING FOR OVERSIGHT
28 BY THE NEIGHBORHOODS DEPARTMENT, HOUSING AND
29 COMMUNITY DEVELOPMENT DIVISION; REQUESTING
30 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
31 AN EFFECTIVE DATE.

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

3 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
4 within the City's budget, there are hereby appropriated the indicated
5 sum(s) from the account(s) listed in subsection (a) to the account(s)
6 listed in subsection (b):

7 (B.T. 23-026 attached hereto as **Exhibit 1** and incorporated herein by
8 this reference)

9 (a) Appropriated from:

10 See B.T. 23-026 \$3,330,234.89

11 (b) Appropriated to:

12 See B.T. 23-026 \$3,330,234.89

13 (c) Explanation of Appropriation:

14 The funding above is an appropriation of additional
15 Emergency Rental Assistance Program grant funds, made
16 available to the City through a reallocation of ERA Program
17 grant funds by the U.S. Department of Treasury under
18 Section 501(d) of the Act, in the amount of \$3,330,234.89
19 (the "ERAP Funds"). The ERAP Funds will be used to provide
20 emergency rent and utility assistance to eligible
21 households in accordance with the ERA Program established
22 by the Act to mitigate the impacts of COVID-19. A total
23 of up to ten percent (10%) of the ERAP Funds reallocated
24 to the City may be set aside for administrative expenses.
25 The funds retained for administrative costs will be paid
26 to Civitas Community Development, LLC d/b/a Civitas, LLC
27 ("Civitas") for the provision of services related to
28 administration of the ERA Program as outlined herein.

29 **Section 2. Purpose.** The purpose of the appropriation in
30 Section 1 is to provide emergency rent and utility assistance to
31 eligible households in Duval County to mitigate the impacts of COVID-

1 19. The City will continue to partner with Civitas for efficient
2 administration of the ERA Program and distribution of these additional
3 ERAP Funds to eligible families in Duval County in accordance with
4 the Act.

5 The Act provides that the ERAP Funds may be used for payment of
6 rent, rent arrears, utilities and home energy costs, utilities and
7 home energy costs arrears, and other expenses related to housing
8 incurred due, directly or indirectly, to the COVID-19 pandemic. The
9 ERAP Funds may be used to cover costs incurred by eligible households
10 between March 13, 2020 through December 29, 2022 and can be applied
11 to cover up to fifteen (15) months of rent and utility and home energy
12 costs, including arrears, for an eligible household and may also be
13 used to cover up to three (3) months of prospective rent payments,
14 subject to certain limitations provided in the Act and the
15 availability of any remaining ERAP Funds. Distribution of the ERAP
16 Funds and local administration of the ERA Program shall be conducted
17 in compliance with the Act.

18 **Section 3. Amendment to Agreement Approved and Execution**

19 **Authorized.** The Mayor, or his designee, and the Corporation Secretary
20 are hereby authorized to execute and deliver an amendment to the
21 Federal Subrecipient Agreement between the City of Jacksonville and
22 Civitas Community Development, LLC d/b/a Civitas, LLC ("Civitas"),
23 approved and authorized by Ordinance 2021-670-E (the "Agreement"),
24 as amended by Ordinance 2022-370-E, to increase the maximum
25 indebtedness by \$3,330,234.89, for a new total maximum indebtedness
26 of \$36,333,567.92 for the Agreement. The Agreement provides that
27 Civitas will assist the City in administration of the ERA Program and
28 distribution of ERA Program funds. This increase to the maximum
29 indebtedness will pay the costs of the additional services Civitas
30 will provide in distributing the additional reallocated ERAP Funds
31 appropriated by this Ordinance. The ERAP Funds will be disbursed to

1 Civitas as needed based on the applications received and confirmed
2 eligible for funding. A total of \$2,997,211.40 from the ERAP Funds
3 will be for direct assistance to eligible households in Duval County
4 and the entirety of the remaining \$333,023.49 will be set aside for
5 Civitas' administrative costs. The administrative costs will be paid
6 monthly, on a reimbursement basis, in accordance with the terms of
7 the Agreement.

8 **Section 4. Waiving Section 110.112, Ordinance Code.**

9 Section 110.112 (Advance of City funds; prohibition against), Part 1
10 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*, is
11 hereby waived to allow for advance payment of \$2,997,211.40 (the full
12 amount set aside for grants and aid to eligible households) to Civitas
13 for direct assistance to eligible households upon execution of the
14 Agreement amendment authorized herein.

15 **Section 5. Further Authorizations.** The Mayor, or his

16 designee, is hereby authorized to reallocate ERAP Funds as necessary
17 to effectuate the intent of this Ordinance, so long as any such
18 reallocation is consistent with the Act and all other laws, rules and
19 regulations applicable to the ERA Program and expenditure of the ERAP
20 Funds. The Mayor, or his designee, is further authorized to procure
21 services and support from additional subcontractors and vendors,
22 subject to the provisions of Chapter 126, *Ordinance Code*, as needed
23 for effective and efficient administration of the ERA Program,
24 consistent with the intent of the Act and this Ordinance.

25 **Section 6. Oversight Department.** The Neighborhoods

26 Department, Housing and Community Development Division, shall provide
27 oversight of the contracts and expenditures authorized hereunder.

28 **Section 7. Requesting Emergency Passage Upon Introduction**
29 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
30 introduction of this legislation is requested. The nature of the
31 emergency is that the City received notification of the award of

1 these additional ERAP Funds on November 1, 2022 with a requirement
2 that the funds be obligated by December 29, 2022.

3 **Section 8. Effective Date.** This Ordinance shall become
4 effective upon signature by the Mayor or upon becoming effective
5 without the Mayor's signature.

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7 Form Approved:

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9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation prepared by: Mary E. Staffopoulos

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