

1 Introduced by Council Member Diamond:
2
3

4 **ORDINANCE 2022-450**

5 AN ORDINANCE REGARDING CHAPTER 117 (GRANTS),
6 *ORDINANCE CODE*; AMENDING SECTIONS 117.101
7 (INTENT), 117.102 (APPLICATION), 117.105
8 (RECORDS), AND 117.108 (CASH OVMATCH ON GRANT
9 TO BE DISCLOSED) TO INCLUDE DEFINITIONS AND
10 PROVISIONS FOR PRIVATE GRANTS AND CREATING NEW
11 SECTIONS 117.111 (STATE AND FEDERAL AWARDS TO
12 FOLLOW UNIFORM PROCUREMENT RULES OR PROCUREMENT
13 CODE) AND 117.112 (REPORTING), CHAPTER 117
14 (GRANTS), *ORDINANCE CODE*; PROVIDING AN EFFECTIVE
15 DATE.
16

17 **WHEREAS**, the Council recognizes that the citizens of
18 Jacksonville have an expectation that the City of Jacksonville will
19 expend public funds in a fair and equitable manner and will follow
20 the processes set forth in the *Ordinance Code*; and

21 **WHEREAS**, it is in the public interest to ensure that public
22 funds are distributed in a fair and transparent manner; and

23 **WHEREAS**, by Ordinance 2021-761-E, the Council approved changes
24 to Chapter 118 (City Grants) to require that nonprofits receiving
25 funding from the City participate in a competitive evaluated award
26 process; and

27 **WHEREAS**, the Council desires to amend Chapter 117 (Grants) to
28 clarify that state and federal grant awards must comply with State
29 and Federal requirements for funding received through federal or
30 state grants, including 2 CFR Part 200-Uniform Administrative
31 Requirements, Costs Principles, and Audit Requirements for Federal

1 Awards (2 CFR 200) and Chapter 126 (Procurement Code), *Ordinance*
2 *Code*, where applicable; now therefore

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

4 **Section 1. Amending Sections 117.101 (Intent), 117.102**
5 **(Application), 117.105 (Records), and 117.108 (Cash overmatch on**
6 **grant to be disclosed) and creating new Sections 117.111 (State and**
7 **federal awards to follow Uniform Federal or State Procurement Rules**
8 **or Procurement Code) and 117.112 (Reporting), *Ordinance Code*.**
9 Chapter 117 (Grants), *Ordinance Code*, is hereby amended to amend
10 Sections 117.101, 117.102, 117.105, and 117.108 and to create new
11 Sections 117.111 and 117.112 to read as follows:

12 **CHAPTER 117. GRANTS**

13 * * *

14 **Sec. 117.101. Definition and Intent.**

15 The term "application" as used in this Chapter shall mean an
16 electronic, digital, written or other form of application,
17 certification, affidavit or other document required by a federal,
18 state, or other public or private entity to be submitted to receive
19 a grant from such entity.

20 The term "grant" or "grants" as used in this chapter shall
21 include any federal grants, state grants, or other public or private
22 grants that the City applies for pursuant to this Chapter.

23 The grants and projects generally described in the catalog for
24 Federal Domestic Assistance are in the best interests of the public.
25 The grants and projects that are from time to time made available to
26 the City by the State of Florida or other public or private entities
27 are in the best interest of the public. The City should undertake
28 available projects from both federal and state sources in the
29 furtherance of the public health, welfare and recreation.

30 **Sec. 117.102. Application.**

31 The Mayor is authorized to make application and execute

1 necessary contracts and other documents in the form prescribed by the
2 United States Government for grants to be made to the City to assist
3 in defraying the costs of the projects generally described in the
4 catalog referred to in Section 117.101. The Mayor is further
5 authorized to make application and execute necessary contracts and
6 other documents in the form prescribed by the State of Florida or
7 other public or private entities for grants to be made to the City
8 to assist in defraying the cost of projects for the furtherance of
9 the public health, welfare and recreation as may be available from
10 the State of Florida or other public or private entities from time
11 to time. The Mayor is authorized to (i) execute grant applications
12 electronically and digitally as required by the entity providing a
13 grant to the City; and (ii) delegate any authority granted under this
14 Chapter in accordance with Section 20.107, Ordinance Code.

15 * * *

16 **Sec. 117.105. Records.**

17 If the grants are made, the City, as directed by the Mayor,
18 shall maintain such records as are necessary and furnish such
19 information, data and documents as are required by the ~~appropriate~~
20 United States, ~~or~~ State of Florida, or other public or private
21 entities, ~~agency~~ under the applicable federal or state laws or other
22 grant regulations to support implementation of the projects generally
23 described in the application.

24 * * *

25 **Sec. 117.108. Cash Overmatch on grant to be disclosed.**

26 If the Council is requested to appropriate City funds as a match
27 for federal, ~~or~~ state, or other public or private grant funds and the
28 amount requested to be appropriated exceeds the amount that is
29 required by federal, ~~or~~ state, or other public or private regulations
30 to be made available for match, this fact shall be disclosed by the
31 Mayor to the Council at the time the appropriation is requested.

1 * * *

2 **Sec. 117.111. State and federal awards to follow Uniform Federal**
3 **or State Procurement Rules or Procurement Code.**

4 Consistent with Section 126.113, Ordinance Code, and as
5 applicable, the City must comply with federal and/or state procurement
6 requirements, including 2 CFR Part 200-Uniform Administrative
7 Requirements, Costs Principles, and Audit Requirements for Federal
8 Awards (2 CFR 200), but may enact more stringent requirements than
9 state or federal law imposes. Where applicable, grant applications
10 to state and federal agencies submitted on behalf of the City shall
11 include vendors who have been reviewed by the Office of Grants and
12 Compliance and determined by the Office of Grants and Compliance to
13 meet the vendor eligibility requirements established by the federal
14 or state agency issuing the grant funding. Where feasible, the City
15 shall utilize a competitive procurement process pursuant to Chapter
16 126 (Procurement Code) to allocate and disburse funding received from
17 federal and/or state grants to nonprofits or other third parties.

18 **Sec. 117.112. Reporting.**

19 On a quarterly basis per year, beginning on October 1, 2022, the
20 Office of Grants and Compliance shall submit a written report to the
21 Council. Such written report shall contain at a minimum the following
22 information regarding state or federal grants which have been awarded
23 in the quarter immediately preceding:

- 24 (a) Vendor name;
25 (b) Award amount;
26 (c) Awarding agency;
27 (d) Description of use of funding;
28 (e) Description of the procurement method used (e.g., invitation
29 to bid, request for proposal, or single-source); and
30 (f) Whether the award was an emergency award.

31 * * *

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

4
5 Form Approved:

6
7
8 /s/ Paige H. Johnston

9 Office of General Counsel

10 Legislation Prepared By: Paige H. Johnston

11 GC-#1472210-v5-Diamond_117_Grants.docx