

## LEGISLATIVE FACT SHEET

DATE: 02/14/22

BT or RC No: BT22-048  
(Administration & City Council Bills)

SPONSOR: Jacksonville Human Rights Commission  
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation Wendy Byndloss

Provide Name: Wendy Byndloss, Executive Director

Contact Number: 255-5372

Email Address: [byndlossw@coj.net](mailto:byndlossw@coj.net)

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

This legislation is necessary to appropriate funding the Jacksonville Human Rights Commission (JHRC), a local fair housing enforcement agency, receives from the U.S. Department of Housing and Urban Development (HUD) as part of HUD's Fair Housing Assistance Program (FHAP), pursuant to a Memorandum of Agreement (MOU) between HUD and JHRC (attached). Appropriation is necessary so that JHRC can continue to be certified as a local fair housing enforcement agency and the City's Fair Housing Ordinance (Chapter 480) can continue to be considered "substantially equivalent" to the federal Fair Housing Act. JHRC's continued certification is necessary so that the City can continue to qualify for CDBG (Community Development Block Grant) fund and other grants from HUD. This legislation would also add a self appropriating fund in chapter 111 pursuant to Chapter 60.105(m).

APPROPRIATION: Total Amount Appropriated \$144,000.00 as follows:

List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: U.S. Department of Housing and Urban Development	Amount:	\$144,000.00
	To: Jacksonville Human Rights Commission	Amount:	\$144,000.00

Name of State Funding Source(s):	From:	Amount:	
	To:	Amount:	

Name of City of Jacksonville Fundir	From:	Amount:	
	To:	Amount:	

Name of In-Kind Contribution(s):	From:	Amount:	
	To:	Amount:	

Name & Number of Bond Account(s):	From:	Amount:	
	To:	Amount:	

**PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:**

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The money is coming from the U.S. Department of Housing & Urban Development (HUD). HUD provides funds to JHRC for 3 purposes: (a) complaint processing funds based on the number of complaints JHRC processes each fiscal year; (b) administrative costs funds; and (c) training funds. See HUD regulations 24 CFR 115.300, 115.301, 115.304 and 115.306 (attached). JHRC uses the complaint processing funds and administrative costs funds to pay for the salaries, benefits and pension costs of JHRC's two housing investigators. JHRC will only use the training funds for JHRC staff training as required by 24 CFR 115.306. The funds being appropriated within this legislation will be spent toward fair housing activities that meet the stated program goals. The City does not contribute general funds to the administration of this program, but because the 2 housing positions are not fully funded by the grant, the City contributes funds to pay for the salaries, benefits and pension costs of JHRC's 2 housing investigators. The amount the City pays for salaries/benefits/pension is paid thru the City's General Fund.

**ACTION ITEMS: Purpose / Check List.** If "Yes" please provide detail by attaching justification, and code provisions for each.

**ACTION ITEMS:**

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Justification of Emergency: If yes, explanation must include detailed nature of emergency.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Federal or State Mandate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.</p> <div style="border: 1px solid black; padding: 2px;">Pursuant to the federal Fair Housing Act and HUD regulations.</div>
Fiscal Year Carryover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Note: If yes, note must include explanation of all-year subfund carryover language.</p> <div style="border: 1px solid black; padding: 2px;">There is no prohibition in the HUD regulations on carrying the funds over to the next fiscal year as long as JHRC uses the funds for the purposes HUD permits</div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.</p>
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Attachment &amp; Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?</p> <div style="border: 1px solid black; padding: 2px;">2013 MOU between HUD and JHRC and 2019 Addendum (attached). MOU was approved by OGC in 2008.</div>
Related RC/BT?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Attachment: If yes, attach appropriate RC/BT form(s).</p>
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>

**ACTION ITEMS CONTINUED: Purpose / Check List.** If "Yes" please provide detail by attaching justification, and code provisions for each.

**ACTION ITEMS:**

	<b>Yes</b>	<b>No</b>
Continuation of Grant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

As required by HUD regulations, the funds will be used in support of fair housing activities, including to help pay for the salaries, pension and benefits of JHRC's 2 housing investigators who investigate allegations of discrimination under the federal Fair Housing Act and Chapter 480, Fair Housing, of the Jacksonville Ordinance Code.

Surplus Property Certification?	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for JHRC has to submit a Performance Assessment Report to HUD every year to apply for the case processing fees and administrative costs portion of the grant and to account for the way JHRC used the training funds.

Division Chief: Wendy Byrdloss  
Wendy Byrdloss (signature)

Date: 2/14/2022

Prepared By: Wendy Byrdloss  
Wendy Byrdloss (signature)

Date: 2/14/2022

**ADMINISTRATIVE TRANSMITTAL**

To: MBRC, c/o Jasmine Jordan, Budget Office, St. James Suite 325

Thru: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor  
(Name, Job Title, Department)

Phone: 255-5006 E-mail: [rachelz@coj.net](mailto:rachelz@coj.net)

From: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor  
Initiating Department Representative (Name, Job Title, Department)

Phone: 255-5006 E-mail: [rachelz@coj.net](mailto:rachelz@coj.net)

Primary Contact: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor  
(Name, Job Title, Department)

Phone: 255-5006 E-mail: [rachelz@coj.net](mailto:rachelz@coj.net)

CC: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor

Phone: 255-5006 E-mail: [rachelz@coj.net](mailto:rachelz@coj.net)

**COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL**

To: Peggy Sidman, Office of General Counsel, St. James Suite 480  
Phone: 904-630-4647 E-mail: psidman@coj.net

From: \_\_\_\_\_  
Initiating Council Member / Independent Agency / Constitutional Officer  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Primary Contact: \_\_\_\_\_  
(Name, Job Title, Department)  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

CC: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor  
Phone: 255-5006 E-mail: rachelz@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No  
Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

**FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED**

**JHRC FUNDING FROM HUD**

<b>PURPOSE HUD DESIGNATES THE MONEY FOR</b>	<b>WHAT JHRC MAY USE THE MONEY FOR</b>	<b>WHAT THE CITY/JHRC ACTUALLY USES THE MONEY FOR</b>	<b>CITY OR JHRC ACCOUNT MONEY SHOULD BE MOVED TO (OR SPENT FROM)</b>	<b>CATEGORIES \$91,800 RECEIVED ON 12/16/2020 DESIGNATED FOR JHRC</b>
Case Processing/ Reimbursement	Any purpose related to fair housing activities	To offset the salaries, pension and benefits of 2 housing investigator	General Fund	\$66,100.00
Administrative Costs	Any purpose related to fair housing activities, but JHRC must inform HUD what the money will be used for	To offset the salaries, pension and benefits of 2 housing investigators	General Fund	\$13,200.00
Training Funds	Training only	Training only	JHRC FHAP Account	\$12,500.00

Below are JHRC's accounts in FAMIS and ICLOUD:

JHRC1FBFH, 331509, REC004-02 - FAMIS

11411-106003-331509-001960-00000000-00000-0000000 1CLOUD

*old string.*

**§ 115.307 Requirements for participation in the FHAP; Corrective and remedial action for failing to comply with requirements.**

(a) Agencies that participate in the FHAP must meet the requirements enumerated in this section. The FHEO regional office shall review the agency's compliance with the requirements of this section when it conducts on-site performance assessments in accordance with § 115.206. The requirements for participation in the FHAP are as follows:

- (1) The agency must conform to all reporting and record maintenance requirements set forth in § 115.308, as well as any additional reporting and record maintenance requirements identified by the Assistant Secretary.
- (2) The agency must agree to on-site technical assistance and guidance and implementation of corrective actions set out by the Department in response to deficiencies found during the technical assistance or performance assessment evaluations of the agency's operations.
- (3) The agency must use the Department's official complaint data information system and must input all relevant data and information into the system in a timely manner.
- (4) The agency must agree to implement and adhere to policies and procedures (as the agency's laws allow) provided to the agency by the Assistant Secretary, including, but not limited to, guidance on investigative techniques, case file preparation and organization, and implementation of data elements for complaint tracking.
- (5) If an agency that participates in the FHAP enforces antidiscrimination laws other than a fair housing law (e.g., administration of a fair employment law), the agency must annually provide a certification to HUD stating that it spends at least 20 percent of its total annual budget on fair housing activities. The term "total annual budget," as used in this subsection, means the entire budget assigned by the jurisdiction to the agency for enforcing and administering antidiscrimination laws, but does not include FHAP funds.
- (6) The agency may not co-mingle FHAP funds with other funds. FHAP funds must be segregated from the agency's and the state or local government's other funds and must be used for the purpose that HUD provided the funds.
- (7) An agency may not unilaterally reduce the level of financial resources currently committed to fair housing activities (budget and staff reductions or other actions outside the control of the agency will not, alone, result in a negative determination for the agency's participation in the FHAP).
- (8) The agency must comply with the provisions, certifications, and assurances required in any and all written agreements executed by the agency and the Department related to participation in the FHAP, including, but not limited to, the cooperative agreement.
- (9) The agency must draw down its funds in a timely manner.
- (10) The agency must be audited and receive copies of the audit reports in accordance with applicable rules and regulations of the state and local government in which it is located.