

1 Introduced by the Council Member Cumber & Co-Sponsored by Council
2 Members Bowman, Hazouri, Ferraro, Gaffney, Morgan, White, Diamond,
3 Newby, Pittman, Freeman and Becton & amended by the Neighborhoods,
4 Community Services, Public Health & Safety Committee and amended by
5 the Finance Committee and amended twice on the floor of Council:
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8 **ORDINANCE 2020-247-E**

9 AN ORDINANCE MAKING CERTAIN FINDINGS AND
10 APPROPRIATING \$9,000,000 FROM GENERAL FUND/GSD
11 FUND BALANCE TO ESTABLISH A COVID-19 SMALL
12 BUSINESS RELIEF GRANT PROGRAM ("PROGRAM") FOR
13 ELIGIBLE SMALL BUSINESSES LOCATED IN DUVAL
14 COUNTY; PROVIDING THAT INDIVIDUALS WHO RECEIVE
15 A 1099 TAX FORM OR ARE A SOLE PROPRIETOR ARE
16 ELIGIBLE TO RECEIVE GRANT FUNDING, WHICH CAN
17 BE USED FOR ANY BUSINESS LOSSES; AUTHORIZING
18 THE CITY TO ENTER INTO AN AGREEMENT WITH
19 FIDELITY NATIONAL INFORMATION SERVICES;
20 INVOKING THE EXCEPTION OF 126.107(G)
21 (EXEMPTIONS), CHAPTER 126 (PROCUREMENT CODE),
22 ORDINANCE CODE, TO DIRECT CONTRACT WITH
23 FIDELITY NATIONAL INFORMATION SERVICES, INC.
24 ("FIS") TO PROVIDE PAYMENT CARDS TO THE CITY
25 TO BE PROVIDED TO APPROVED GRANT RECIPIENTS
26 UNDER THE COVID-19 SMALL BUSINESS RELIEF GRANT
27 PROGRAM; PROVIDING FOR MONTHLY REPORTS TO CITY
28 COUNCIL; REQUESTING THAT THE FINANCE AND
29 ADMINISTRATION DEPARTMENT AND OFFICE OF
30 ECONOMIC DEVELOPMENT OVERSEE THE GRANT PROCESS

1 AND PROGRAM; REQUESTING ONE CYCLE EMERGENCY
2 PASSAGE; PROVIDING AN EFFECTIVE DATE.

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

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

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

7 (b) By incentivizing the retention of employees and providing
8 grant funds to small businesses within the City, the Program is
9 designed to benefit both individuals and small businesses and will
10 promote and further the public and municipal purposes of the City
11 and serve to limit the severe economic impacts of COVID-19.

12 (c) The Program is designed to provide rapid economic relief
13 to small businesses in order to maintain the viability of such
14 businesses and the employment of individuals thereof, thus
15 maintaining the City's tax base and revenues.

16 (d) Enhancement of the City's tax base and revenues, are
17 matters of State and City policy and State and City concern in order
18 that the State and its counties and municipalities, including the
19 City, shall not continue to be endangered by unemployment,
20 underemployment, economic recession, poverty, crime and disease, and
21 consume an excessive proportion of the State and City revenues
22 because of the extra services required for police, fire, accident,
23 health care, elderly care, charity care, hospitalization, public
24 housing and housing assistance, and other forms of public
25 protection, services and facilities.

26 (e) The Program will provide economic relief to small
27 businesses in Duval County, thus encouraging ongoing compliance with
28 the Emergency Measures and benefitting the health, safety and
29 welfare of the citizens of Duval County.

30 (f) The provision of the City's assistance is necessary and
31 appropriate to make the Program feasible; and the City's assistance

1 is reasonable and not excessive, taking into account the extent of
2 the public benefits expected to be derived from the Program, and
3 taking into account all other forms of assistance available.

4 (g) The authorizations provided by this Ordinance are for
5 public uses and purposes for which the City may use its powers as a
6 county, municipality and as a political subdivision of the State of
7 Florida and may expend public funds, and the necessity in the public
8 interest for the provisions herein enacted is hereby declared as a
9 matter of legislative determination.

10 (h) This Ordinance is adopted pursuant to the provisions of
11 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
12 Charter, and other applicable provisions of law.

13 **Section 2. Appropriation.** For the 2019-2020 fiscal
14 year, within the City's budget, there are hereby appropriated the
15 indicated sum(s) from the account(s) listed in subsection (a) to
16 the account(s) listed in subsection (b):

17 (Account information is attached hereto as **Exhibit 1** and
18 incorporated herein by this reference)

19 (a) Appropriated from:

20 See attached **Exhibit 1** \$9,000,000

21 (b) Appropriated to:

22 See attached **Exhibit 1** \$9,000,000

23 (c) **Explanation of Appropriation:**

24 The funding above is from the General Fund/GSD Fund
25 Balance. The funds will be used to provide economic
26 incentive grants to small businesses located within Duval
27 County.

28 **Section 3. Purpose.** The purpose of the appropriation in
29 Section 2 is to provide grants via pay cards to eligible small
30 businesses located in Duval County to partially combat the economic
31 impacts of the COVID-19 virus and encourage approved businesses to

1 retain their employees for the duration of the declared
2 emergencies.

3 **Section 4. COVID-19 Small Business Relief Grant Program**
4 **approved.** For a period of six months from the effective date of
5 this Ordinance, the City is authorized to award COVID-19 Small
6 Business Relief Grants to eligible small businesses in Duval County
7 in the amount of \$2,000 to approved applicants in accordance with
8 the criteria attached hereto as **Fourth Revised Exhibit 2**, labeled
9 as "Fourth Revised Exhibit 2, 4th Revised Criteria, May 26, 2020 -
10 Floor" and incorporated herein reference. The criteria include the
11 requirements that the small business: (i) is located in Duval
12 County; (ii) had no more than 100 employees on February 29th 2020;
13 iii) has been in business for at least on (1) year from February
14 29, 2020; iv) must document number of employees as of February 29,
15 2020; (iv) shall demonstrate that since February 29, 2020 the small
16 business has experienced a reduction in revenue of 25% or more as a
17 direct result of the COVID-19 crisis; and (v) an officer of the
18 small business must sign an affidavit certifying the foregoing
19 eligibility criteria.

20 **Section 5. Additional eligibility criteria.** An individual
21 who receives a 1099 tax form or is a sole proprietor is eligible to
22 receive grant funding, which can be used for any business losses.

23 **Section 6. Authorizing the City to enter into an**
24 **agreement with Fidelity National Information Services (FIS).** The
25 City is hereby authorized to enter into an Agreement with Fidelity
26 National Information Services for the purposes described in Section
27 3, and to also allow for a negotiated compensation to FIS.

28 **Section 7. Invoking the exception to Section 126.107(g),**
29 **Ordinance Code.** The City is hereby authorized to enter into the
30 Agreement with Fidelity National Information Services, Inc. for the
31 purposes described in Section 3, as well as allowing for a

1 negotiated compensation to FIS. Pursuant to Section 126.107(g)
2 (Exemptions), Part 1 (General Regulations), Chapter 126
3 (Procurement Code), *Ordinance Code*, such procurement is exempted
4 from competitive solicitation because the supplies or services are
5 to be provided by those specifically prescribed within authorizing
6 legislation that appropriates the same. With the exception of the
7 foregoing, all other provisions of Chapter 126, Ordinance Code,
8 shall remain in full force and effect.

9 **Section 8. Authorizing the City to enter into an**
10 **agreement with a financial institution.** The City is hereby
11 authorized to enter into the Agreement with a financial institution
12 for the purposes described in Section 3.

13 **Section 9. Oversight Department.** The Finance and
14 Administration Department and Office of Economic Development shall
15 provide oversight for the Program herein.

16 **Section 10. Monthly Report.** The Finance and
17 Administration Department is required to make a report monthly to
18 the City Council concerning the use of the funds authorized hereby
19 for the Program, including the number of recipients and dollar
20 amounts of the Grants.

21 **Section 11. Requesting One Cycle Emergency Passage**
22 **pursuant to Council Rule 4.901.** One cycle emergency passage of this
23 legislation is requested. The nature of the emergency is that the
24 negative health and economic impacts of COVID-19 are ongoing and
25 immediate economic assistance will assist in maintaining the
26 viability of such businesses and associated employment.

27 **Section 12. Effective Date.** This ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

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31 Form Approved:

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2 /s/ Paige H. Johnston

3 Office of General Counsel

4 Legislation prepared by: Margaret M. Sidman

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