

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-513**

5 AN ORDINANCE MAKING CERTAIN FINDINGS AND
6 APPROPRIATING \$171,847,895.50 IN CORONAVIRUS
7 FISCAL RECOVERY FUNDS FROM THE U.S. DEPARTMENT
8 OF TREASURY IN ACCORDANCE WITH THE AMERICAN
9 RESCUE PLAN ACT OF 2021 (THE "ARP ACT") TO
10 SUPPORT CONTINUED COVID-19 RESPONSE EFFORTS AND
11 TO PROVIDE FUNDING FOR ELIGIBLE CAPITAL
12 IMPROVEMENT PROJECTS, DEPARTMENTAL ENHANCEMENTS
13 AND EQUIPMENT, HEALTH INITIATIVES, AND OTHER
14 QUALIFIED EXPENSES, AS INITIATED BY B.T. 22-103;
15 AUTHORIZING VARIOUS DISBURSEMENTS OF ARP ACT
16 FUNDING INCLUDING: (1) \$25,000,000 TO THE CITY'S
17 WATER/WASTEWATER SYSTEM FUND FOR SEPTIC TANK
18 PHASEOUT CAPITAL PROJECTS, (2) \$20,000,000 FOR
19 ONE-TIME PREMIUM PAYMENTS TO CITY EMPLOYEES IN
20 ACCORDANCE WITH THE ARP ACT, (3) \$9,724,406 TO
21 SHANDS JACKSONVILLE MEDICAL CENTER, INC., (4)
22 \$7,997,347 FOR RADIO REPLACEMENTS, (5)
23 \$4,825,419 FOR INFORMATION TECHNOLOGY ("IT")
24 NETWORK INFRASTRUCTURE UPGRADES, (6) \$1,743,835
25 FOR JACKSONVILLE SHERIFF'S OFFICE ("JSO")
26 CELLBRITE PATHFINDER COMPUTER EQUIPMENT,
27 HARDWARE-SOFTWARE MAINTENANCE AND LICENSES, (7)
28 \$1,250,000 FOR JACKSONVILLE FIRE AND RESCUE
29 DEPARTMENT ("JFRD") SAFETY BARRICADES, (8)
30 \$1,066,172 FOR JSO IT CAPITAL EQUIPMENT
31 REPLACEMENT, (9) \$907,204 FOR JFRD SATELLITE

1 COMMUNICATION EQUIPMENT REPLACEMENT, (10)
2 \$600,000 FOR THE 4TH JUDICIAL CIRCUIT STATE
3 ATTORNEY'S OFFICE CASE MANAGEMENT SYSTEM, (11)
4 \$500,000 FOR INFORMATION TECHNOLOGY DIVISION
5 ENHANCEMENTS (CONTRACTUAL SERVICES AND
6 PROCUREMENT OF LICENSES AND UPGRADES), (12)
7 \$75,000 TO THE SUPERVISOR OF ELECTIONS FOR
8 ELECTION VOTING SITE CLEANING SERVICES AND
9 SUPPLIES, (13) \$10,000,000 TO THE WORKERS
10 COMPENSATION SELF-INSURED FUND, (14) \$7,000,000
11 TO THE SELF-INSURED HEALTH FUND, (15) \$3,500,000
12 TO THE GENERAL EMPLOYEE DISABILITY FUND (16)
13 \$1,500,000 TO THE PUBLIC SAFETY DISABILITY FUND,
14 (17) \$2,297,307 TO THE CITY VENUES - CITY FOR
15 2021 DEFICIT ACTIVITY, AND (18) 73,861,205.50 TO
16 BE HELD IN CONTINGENCY FOR FUTURE QUALIFIED
17 EXPENSES THROUGH DECEMBER 31, 2024; PROVIDING
18 FOR CARRYOVER OF FUNDS FROM YEAR TO YEAR UNTIL
19 SUCH FUNDS ARE EXPENDED OR LAPSE, AND PROVIDING
20 THAT ANY ARP ACT FUNDING NOT EXPENDED PURSUANT
21 TO THIS ORDINANCE BY SEPTEMBER 30, 2024, EXCEPT
22 AS OTHERWISE PROVIDED HEREIN, SHALL REVERT TO
23 THE FUND(S) OF ORIGIN FOR REAPPROPRIATION FOR
24 AUTHORIZED EXPENDITURES UNDER THE TERMS OF THE
25 ARP ACT; PROVIDING FOR OVERSIGHT; PROVIDING FOR
26 COMPLIANCE WITH APPLICABLE ARP ACT GRANT FUNDING
27 REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.

28
29 **WHEREAS**, the Novel Coronavirus Disease 2019 ("COVID-19") was
30 first discovered in the United States in January 2020 and since that
31 time this severe, acute respiratory illness has infected millions and

1 killed hundreds of thousands of Americans; and

2 **WHEREAS**, the impacts of the COVID-19 pandemic have been severe
3 and far-reaching, affecting all facets of the American economy and
4 daily life, resulting in the highest national unemployment rates in
5 over 70 years, creating food and housing insecurity for a significant
6 portion of the population, and leading to economic harm and disruption
7 to businesses of all sizes and to governments at all levels; and

8 **WHEREAS**, the United States federal government recognizes that
9 state, territorial, tribal and local governments continue to be called
10 on to respond to COVID-19 and the lasting effects of this pandemic
11 at an immense scale, including launching major efforts to address the
12 economic impacts of the pandemic as efficiently as possible in a
13 manner that is tailored to meet the specific needs of each community;
14 and

15 **WHEREAS**, on March 11, 2021, the American Rescue Plan Act of 2021
16 (the "ARP Act") was signed into law and provided for the distribution
17 of Coronavirus relief, fiscal recovery, and critical capital projects
18 funds to state, territorial, tribal and local governments of the
19 United States; and

20 **WHEREAS**, the ARP Act provides that these funds may be used for
21 various projects and purposes that include: (1) efforts to respond
22 to the COVID-19 public health emergency and its negative economic
23 impacts, including, but not limited to, assistance to households,
24 small businesses, and non-profits, (2) providing premium pay to
25 eligible government workers performing essential work during the
26 COVID-19 public health emergency, (3) offsetting the costs of
27 providing government services, to the extent of the reduction in
28 revenue experienced due to the COVID-19 public health emergency, and
29 (4) making necessary improvements to water, sewer, or broadband
30 infrastructure; and

31 **WHEREAS**, the City of Jacksonville (the "City") recognizes that

1 quick and efficient distribution of these ARP Act funds will further
2 bolster the City's efforts to rebuild and recover the local economy;
3 and

4 **WHEREAS**, the Mayor, as Chief Executive Officer of the City, has
5 determined that all City employees performing work during, and in
6 response to, the COVID-19 public health emergency constitute
7 "eligible workers" necessary to maintain continuity of City
8 operations and essential critical infrastructure which is critical
9 to protect the health and well-being of the residents of Duval County,
10 Florida; and

11 **WHEREAS**, in 2021 the City appropriated an initial allocation of
12 American Rescue Plan Act of 2021 funds from the U.S. Department of
13 Treasury in the total amount of \$171,847,895 by Ordinances 2021-463-
14 E and 2021-516-E; and

15 **WHEREAS**, the City desires to appropriate the second disbursement
16 of local fiscal recovery funds from the U.S. Department of Treasury
17 in the amount of \$171,847,895.50 in accordance with the ARP Act for
18 the various purposes as more fully set forth herein; now therefore

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

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

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

23 (b) The disbursements of funds and actions authorized hereby
24 will provide economic relief that encourages recovery of the local
25 economy and benefits the health, safety and welfare of the citizens
26 of Duval County.

27 (c) The distribution of ARP Act funds as set forth herein is
28 necessary and appropriate, and is reasonable and not excessive, taking
29 into account the extent of the public benefits expected to be derived
30 from the grants and other relief authorized hereby, and taking into
31 account all other forms of economic assistance available.

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

7 (e) This Ordinance is adopted pursuant to the provisions of
8 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
9 Charter, and other applicable provisions of law.

10 **Section 2. Appropriation.** For the 2022-2023 fiscal year,
11 within the City's budget, there are hereby appropriated the indicated
12 sum(s) from the account(s) listed in subsection (a) to the account(s)
13 listed in subsection (b):

14 (B.T. 22-103, attached hereto as **Exhibit 1** and incorporated herein
15 by this reference)

16 (a) Appropriated from:

17 See **Exhibit 1** \$171,847,895.50

18 (b) Appropriated to:

19 See **Exhibit 1** \$171,847,895.50

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

21 The funding appropriated above represents \$171,847,895.50
22 in additional Coronavirus relief, fiscal recovery, and
23 critical capital projects funds received by the City from
24 the federal government pursuant to the American Rescue Plan
25 Act of 2021 (the "ARP Act"). These funds will be used to
26 support continued COVID-19 response efforts and to assist
27 with continued economic recovery and stabilization efforts
28 through replacement of lost public-sector revenue and by
29 providing funding for public infrastructure improvements,
30 premium pay for essential (City) workers, and various
31 departmental and public safety enhancements, replacements

1 and upgrades. In addition, a large portion of these funds
2 will be set aside in various contingency accounts for
3 disability, health, workers compensation self-insurance
4 and other eligible expenses under the ARP Act that have
5 arisen or may or are projected to arise through fiscal year
6 2023-2024 and into the first quarter of fiscal year 2025
7 (through December 31, 2024).

8 **Section 3. Purpose.** The purpose of the appropriation in
9 Section 2 is to disburse the second tranche of ARP Act local fiscal
10 recovery funds as follows: (1) \$25,000,000 to the City's
11 Water/Wastewater System Fund for septic tank phaseout capital
12 projects; (2) \$20,000,000 for one-time premium payments to City
13 employees in accordance with the ARP Act; (3) 9,724,406 to Shands
14 Jacksonville Medical Center, Inc. for indigent health care; (4)
15 \$18,289,977 for various eligible City departmental enhancements,
16 replacements and upgrades including, but not limited to: radio
17 replacements, Information Technology ("IT") network infrastructure
18 upgrades, JSO Cellbrite Pathfinder computer equipment, hardware-
19 software maintenance, and licenses, safety barricades and satellite
20 communication equipment replacements for JFRD, JSO IT capital
21 equipment replacement, Information Technologies Division enhancements
22 (including contractual services and procurement of licenses and
23 upgrades); (5) \$600,000 to the 4th Judicial Circuit State Attorney's
24 Office for its Case Management System; (6) \$75,000 to the Supervisor
25 of Elections for election voting site cleaning services and supplies;
26 (7) \$10,000,000 to the Workers Compensation Self-Insurance Fund; (8)
27 \$7,000,000 to the Self-Insured Health Fund; (9) \$3,500,000 to the
28 General Employee Disability Fund; (10) \$1,500,000 to the Public Safety
29 Employee Disability Fund; (11) \$2,297,307 to the City Venues - City
30 Account for the 2021 Deficit; and (12) \$73,861,205.50 to be held in
31 contingency for future qualified expenses that may arise through the

1 first quarter of fiscal year 2024-2025.

2 **Section 4. Carryover.** The funds appropriated herein shall
3 not lapse but shall carryover as appropriated from year to year until
4 such funds are expended or lapse. Funds appropriated in this
5 Ordinance must be expended before September 30, 2024 with the
6 exception that those funds appropriated herein for the Septic Tank
7 Phase Out project and other water and/or wastewater projects must be
8 encumbered by September 30, 2024. Failure to do so will cause said
9 funds to revert to the account(s) of origin for reappropriation for
10 authorized expenditures under the terms of the ARP Act, subject to
11 Council approval.

12 **Section 5. Oversight Department.** The Finance and
13 Administration Department shall provide general oversight of the
14 distribution and expenditure of the ARP Act funds. The Public Works
15 Department shall oversee and coordinate the expenditure of the ARP
16 Act funds appropriated for water/wastewater and septic tank phaseout
17 expenditures and any contracts related thereto with JEA. The
18 Jacksonville Fire and Rescue Department shall oversee procurement of
19 the safety barricades and satellite communication equipment
20 replacements. The Jacksonville Sheriff's Office shall oversee the
21 Cellbrite Pathfinder and IT capital equipment replacement
22 procurements.

23 **Section 6. Compliance with applicable American Rescue Plan**
24 **Act grant funding requirements.** Shands Jacksonville Medical Center,
25 Inc. and any other subcontractors or vendors receiving ARP Act funds
26 in accordance with the appropriations outlined herein shall comply
27 with all applicable ARP Act grant requirements in their respective
28 use and expenditure of the ARP Act funds provided pursuant to this
29 Ordinance; including, but not limited to, the audit requirements
30 attached hereto as **Exhibit 2**, and incorporated herein by this
31 reference.

1 **Section 7. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

6
7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation prepared by: Mary E. Staffopoulos

10 GC-#1509586-v2A-2022-513_ARP_Approp_(2nd_Tranche)