

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health and
3 Safety Committee:

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6 **ORDINANCE 2022-513-E**

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

1 \$1,066,172 FOR JSO IT CAPITAL EQUIPMENT
2 REPLACEMENT, (9) \$907,204 FOR JFRD SATELLITE
3 COMMUNICATION EQUIPMENT REPLACEMENT, (10)
4 \$600,000 FOR THE 4TH JUDICIAL CIRCUIT STATE
5 ATTORNEY'S OFFICE CASE MANAGEMENT SYSTEM, (11)
6 \$500,000 FOR INFORMATION TECHNOLOGY DIVISION
7 ENHANCEMENTS (CONTRACTUAL SERVICES AND
8 PROCUREMENT OF LICENSES AND UPGRADES), (12)
9 \$75,000 TO THE SUPERVISOR OF ELECTIONS FOR
10 ELECTION VOTING SITE CLEANING SERVICES AND
11 SUPPLIES, (13) \$10,000,000 FOR WORKERS
12 COMPENSATION HEART AND HYPERTENSION, (14)
13 \$7,000,000 FOR HEALTH CARE CLAIMS PAID, (15)
14 \$4,822,290 FOR ROADWAY RESURFACING, (16)
15 \$2,297,307 TO PAY FOR UTILITIES FOR CITY VENUES,
16 AND (17) \$74,038,915.50 TO BE HELD IN
17 CONTINGENCY FOR FUTURE QUALIFIED EXPENSES
18 THROUGH DECEMBER 31, 2024; PROVIDING FOR
19 CARRYOVER OF FUNDS FROM YEAR TO YEAR UNTIL SUCH
20 FUNDS ARE EXPENDED OR LAPSE, AND PROVIDING THAT
21 ANY ARP ACT FUNDING NOT EXPENDED PURSUANT TO
22 THIS ORDINANCE BY SEPTEMBER 30, 2024, EXCEPT AS
23 OTHERWISE PROVIDED HEREIN, SHALL REVERT TO THE
24 FUND(S) OF ORIGIN FOR REAPPROPRIATION FOR
25 AUTHORIZED EXPENDITURES UNDER THE TERMS OF THE
26 ARP ACT; PROVIDING FOR OVERSIGHT; PROVIDING FOR
27 COMPLIANCE WITH APPLICABLE ARP ACT GRANT FUNDING
28 REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.

29
30 **WHEREAS**, the Novel Coronavirus Disease 2019 ("COVID-19") was
31 first discovered in the United States in January 2020 and since that

1 time this severe, acute respiratory illness has infected millions and
2 killed hundreds of thousands of Americans; and

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

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

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

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

1 **WHEREAS**, the City of Jacksonville (the "City") recognizes that
2 quick and efficient distribution of these ARP Act funds will further
3 bolster the City's efforts to rebuild and recover the local economy;
4 and

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

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

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

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

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

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

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

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

1 account all other forms of economic assistance available.

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

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

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

15 (Revised B.T. 22-103, attached hereto as **Revised Exhibit 1**, labeled
16 as "Revised Exhibit 1, Rev B.T. 22-103, September 19, 2022 - NCSPHS"
17 and incorporated herein by this reference)

18 (a) Appropriated from:

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

20 (b) Appropriated to:

21 See **Revised Exhibit 1** \$171,847,895.50

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

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

1 premium pay for essential (City) workers, and various
2 departmental and public safety enhancements, replacements
3 and upgrades. In addition, a large portion of these funds
4 will be set aside in various contingency accounts for
5 disability, health, workers compensation self-insurance
6 and other eligible expenses under the ARP Act that have
7 arisen or may or are projected to arise through fiscal year
8 2023-2024 and into the first quarter of fiscal year 2025
9 (through December 31, 2024).

10 **Section 3. Purpose.** The purpose of the appropriation in
11 Section 2 is to disburse the second tranche of ARP Act local fiscal
12 recovery funds as follows: (1) \$25,000,000 to the City's
13 Water/Wastewater System Fund for septic tank phaseout capital
14 projects; (2) \$20,000,000 for one-time premium payments to City
15 employees in accordance with the ARP Act; (3) \$9,724,406 to Shands
16 Jacksonville Medical Center, Inc. for indigent health care; (4)
17 \$18,289,977 for various eligible City departmental enhancements,
18 replacements and upgrades including, but not limited to: radio
19 replacements, Information Technology ("IT") network infrastructure
20 upgrades, JSO Cellbrite Pathfinder computer equipment, hardware-
21 software maintenance, and licenses, safety barricades and satellite
22 communication equipment replacements for JFRD, JSO IT capital
23 equipment replacement, Information Technologies Division enhancements
24 (including contractual services and procurement of licenses and
25 upgrades); (5) \$600,000 to the 4th Judicial Circuit State Attorney's
26 Office for its Case Management System; (6) \$75,000 to the Supervisor
27 of Elections for election voting site cleaning services and supplies;
28 (7) \$10,000,000 for Workers Compensation Heart and Hypertension
29 claims paid; (8) \$7,000,000 for Health Care Claims Paid; (9)
30 \$4,822,290 for Roadway Resurfacing; (10) \$2,297,307 to pay for
31 utilities for City venues; and (11) \$74,038,915.50 to be held in

1 contingency for future qualified expenses that may arise through the
2 first quarter of fiscal year 2024-2025.

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

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

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

1 reference.

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

5

6 Form Approved:

7

8 /s/ Paige H. Johnston

9 Office of General Counsel

10 Legislation prepared by: Mary E. Staffopoulos

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