

LEGISLATIVE FACT SHEET

DATE: 10/03/24

BT or RC No: BT25-013
(Administration & City Council Bills)

SPONSOR: Jacksonville Fire and Rescue Department, Emergency Preparedness Division
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Noah Ray

Provide Name: Noah Ray

Contact Number: 9042553117

Email Address: nray@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 the implementation.

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

This legislation is necessary in order for the City of Jacksonville to allocate contingency funds for a federally funded subaward and modify a grant agreement with the State of Florida, Division of Emergency Management (FDEM). The subaward provides funding through the federal Hazard Mitigation Grant Program. The scope of work for this grant project is to design and construct a new stand-alone hurricane safe room located at 2610 Fairfax Street, Jacksonville, Florida, 32209. This is a phased project, consisting of Phase I: Engineering & Design and Phase II: Construction. The federally funded subaward being considered for legislation is for Phase I only. No construction activities are approved at this time. This project has \$21,465.00 in contingency funds which have been approved to be allocated towards the project cost; the contingency funds required a contract modification prior to becoming available. The contingency funds were already incorporated in the original grant BT.

The scope for Phase I includes but is not limited to surveying, engineering, design, plans preparation, permitting and bidding for the proposed project. Phase I deliverables include completed designs, calculations, a full set of signed and sealed plans, and permits. Deliverables generated during Phase I shall be reviewed by FDEM and FEMA, who will render a Phase II determination upon completion. Phase II approval is contingent upon satisfactory review for consistency with standards of the FEMA guidance manual FEMA P-361 Design and Construction for Community Safe Rooms.

The proposed hurricane safe room shall be designed to accommodate a maximum of 850 first responders, particularly law enforcement and Urban Search and Rescue (USAR) Team members. The new facility shall be designed with all necessary activities to protect the building envelope and to provide near-absolute protection to its occupants against 180 MPH winds. The proposed hurricane safe room gross area is approximately 20,000 square feet. This hurricane safe room shall be equipped with a permanent 150-kW to 250-kW diesel generator.

Construction documents for the first responder safe rooms designed for more than 50 occupants are required to undergo peer review. The City of Jacksonville, as the safe room owner, will secure the reviewer in charge to discourage potential peer reviewer bias. Following the comprehensive peer review, a signed and sealed report should be submitted to the City of Jacksonville, as well as provided to the Florida Division of Emergency Management, and FEMA. This report should include detailed descriptions of the items reviewed and a recommendation of acceptance or rejection for each with an explanation provided for rejected items.

APPROPRIATION: Total Amount Appropriated: 21,465.00 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: _____ | Amount: _____ |
| | To: _____ | Amount: _____ |
| Name of State Funding Source(s): | From: _____ | Amount: _____ |
| | To: _____ | Amount: _____ |
| Name of City of Jacksonville Funding: | From: <u>Grant/Project 010766- contingency</u> | Amount: <u>21,465.00</u> |
| | To: <u>Grant/Project 010766- Design/Engineering</u> | Amount: <u>21,465.00</u> |
| 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.)

This is FEMA project number 4486-131-R. It is funded under HMGP, FEMA-4486-DR-FL and must adhere to all program guidelines established for the HMGP in accordance with the PAS Operational Agreement for Disaster 4486. FEMA awarded this project on March 10, 2023; this Agreement shall begin upon execution by both parties, and the Period of Performance for this project shall end on June 30, 2024.

There is a 10% match requirement to be provided by the City of Jacksonville for this mitigation grant project. The total estimated cost of the project is \$473,303.25, with the federal share being \$428,226.75 and the local share being \$45,076.50.

This project has an estimated \$21,465.00 in contingency funds. Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post award changes to the budget require prior written approval from the Division (FDEM). The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.

Sub-Recipient Management Costs (SRMC) are included for this project in the amount of \$22,538.25 in Federal funding. Per the Hazard Mitigation Grant Program Interim FEMA Policy 104-11-1, SRMC provides HMGP funding to Sub-Recipients to efficiently manage the grant and complete activities in a timely manner. SRMC must conform to 2 CFR Part 200, Subpart E, ensuring costs are reasonable, allowable, allocable and necessary to the overall project. SRMC cannot exceed 5% of the approved total project costs awarded and shall be reimbursed at 5% for each Request for Reimbursement (RFR) submitted with the required documentation.

The maximum reimbursement amount for the entirety of this Agreement is \$428,226.75, pending allocation of contingency costs as described above.

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"/> | Justification of Emergency: If yes, explanation must include detailed nature of emergency. <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| Federal or State Mandate? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision. <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| Fiscal Year Carryover? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Note: If yes, note must include explanation of all-year subfund carryover language. <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| CIP Amendment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment. |
| Contract / Agreement Approval? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Attachment & 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? <div style="border: 1px solid black; padding: 5px;">Subaward Agreement Number: H0984 SUB-RECIPIENT: City of Jacksonville PROJECT #: 4486-131-R PROJECT TITLE: First Responder Hurricane Safe Room and Generator</div> |
| Related RC/BT? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Attachment: If yes, attach appropriate RC/BT form(s). |
| Waiver of Code? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| Code Exception? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| Related Enacted Ordinances? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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. <div style="border: 1px solid black; padding: 5px;">2023-370. BT23-096</div> |

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

ACTION ITEMS:

| | Yes | No | |
|---------------------------------|---|-------------------------------------|---|
| Continuation of Grant? | <input type="checkbox"/> | <input checked="" 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? |
| | | | |
| Surplus Property Certification? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Attachment: If yes, attach appropriate form(s). |
| Reporting Requirements? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 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 generating reports. |
| | Consistent with 2 C.F.R. §200.328, the City of Jacksonville shall provide FDEM with quarterly reports and a close-out report. Noah Ray (Emergency Preparedness Division/904-255-3117) will provide these reports. | | |

BUSINESS IMPACT ESTIMATE

Pursuant to Section 166.041(4), F.S., the City is required to prepare a Business Impact Estimate for ordinances that are NOT exempt from this requirement. A list of ordinance exemptions are provided below. Please check all exemption boxes that apply to this ordinance. If an exemption is applicable, a Business Impact Estimate IS NOT required.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If none of the boxes above are checked, then a Business Impact Estimate IS REQUIRED to be prepared by the using agency/office/department and submitted in the MBRC filing packet along with the memorandum request, legislative fact sheet, etc. A Business Impact Estimate form can be found at: <https://www.coj.net/departments/finance/budget/mayor-s-budget-review-committee>

Division Chief: *Frank Ay* Date: 10/03/24
(signature)

Prepared By: *Naoh* Date: 10/03/24
(signature)

ADMINISTRATIVE TRANSMITTAL

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

Thru: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor

(Name, Job Title, Department)

Phone: 255-5000

E-mail: BNorris@coj.net

From: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor

Initiating Department Representative (Name, Job Title, Department)

Phone: 255-5000

E-mail: BNorris@coj.net

Primary Contact Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor

(Name, Job Title, Department)

Phone: 255-5000

E-mail: BNorris@coj.net

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor

Phone: 255-5000

E-mail: BNorris@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Mary Staffopoulos, Office of General Counsel, St. James Suite 480
Phone: 904-255-5062 E-mail: mstaff@coj.net

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

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

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5000 E-mail: BNorris@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