

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2020-235

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 27, 2020

Committee(s) of Reference: None – enacted on introduction

Date of Analysis: April 28, 2020

Type of Action: Grant acceptance; appropriations; Ordinance Code waivers; establishment of moratoria; authorizing execution of agreements; authorization for direct procurement contracting; designation of oversight agencies; request for emergency enactment

Bill Summary: The bill authorizes acceptance of a \$146,550,942.50 federal Coronavirus Aid, Relief, and Economic Security (CARES Act) grant. It appropriates the grant funds to the following program areas:

- \$40,025,000 to individuals for mortgage, rent and utility relief in the form of \$1,000 debit cards;
- \$35,525,942.50 to COVID-19 testing and other health needs sites;
- \$17,000,000 addition to the small business relief and employment retention program previously enacted via Ordinance 2020-201-E;
- \$9,000,000 to reimburse the City for local funds already allocated to the small business relief and employment retention program previously enacted via Ordinance 2020-201-E;
- \$25,000,000 to City fee waivers, fee moratoria, rent waivers, and other costs incurred by the City due to the emergency;
- \$20,000,000 to for-profit and non-profit businesses adversely impacted by the emergency.
- \$12,500,000 to a COVID-19 emergency incidents account for City costs not anticipated to be reimbursed by FEMA (local share).

The bill provides that the CARES grant funding carries over into FY20-21 but any funds not expended by November 1, 2020 shall revert to the fund of origin to be re-appropriated for other uses authorized under the terms of the CARES grant.

The bill waives the Ordinance Code's \$500,000 annual limitation on the Mayor's transfer authority through December 31, 2020 to permit him to transfer the \$25,000,000 allocated to the fee and rent waivers and other City costs to other uses allowable under the CARES grant, with written documentation being provided to the Council Auditor within 3 days of the transfers. It waives the collection of mobility fees for a period of 6 months from the effective date of the ordinance, or sooner if repealed by the Council prior to that date and provides for a waiver of 50% of mobility fees due on projects that become ready for construction in the 3 months following the 6 month total moratorium period, subject to certain project completion deadlines. The bill imposes a 6-month moratorium on the collection of a variety of building inspection fees, development-related fees (land subdivisions, plats, engineering reviews, etc.), right-of-way and street excavation permits, zoning administrative deviation and written interpretation request fees, rezoning and land use change application fees, certificate of use application fees, tree removal application fees, and Comprehensive Plan change application fees. It provides a 6-month moratorium on landfill tipping fees and JFRD plan review fees. The bill provides for 6 months of rent forgiveness for tenants leasing space in City buildings and facilities, except for short-term leases or licenses for use of the City's sports and entertainment facilities.

The bill provides for a 6-month loan forgiveness program for borrowers who have loan agreements with the City. It authorizes discounted parking rates at City-owned parking facilities for individuals who have lost 25% or more of their income due to COVID-19 and for businesses that can demonstrate economic harm caused by shutdowns due to the virus. It provides for a waiver of library fines and fees for a period of 12 months, retroactive from the effective date of the ordinance.

The bill invokes the direct contracting exception to the Procurement Code and authorizes the administration to contract directly with Fidelity National Information Services (FIS) to provide the \$1,000 “pay cards” for distribution under the \$40 million Mortgage, Rent and Utilities program. The Department of Finance and Administration and the Office of Economic Development are designated as the City’s oversight agencies for the various programs funded by the grant, and the Downtown Investment Authority is designated as the oversight agency for the parking discount program.

Emergency approval on first reading is requested.

Background Information:

Policy Impact Area: COVID-19 emergency economic recovery

Fiscal Impact: The bill appropriates a \$146,550,942.50 federal “CARES Act” grant to a variety of programs and temporarily waives the collection of a wide variety of City fees.

Analyst: Clements