

1 Introduced by Council Member Dennis and Co-Sponsored by Council  
2 Member R.Gaffney:

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4  
5 **ORDINANCE 2020-379**

6 AN ORDINANCE MAKING CERTAIN FINDINGS AND  
7 APPROPRIATING \$1,000,000 OF CARES ACT GRANT  
8 FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF  
9 TREASURY TO PROVIDE ONE-TIME GRANTS UP TO  
10 \$10,000 EACH TO SMALL BUSINESSES LOCATED IN  
11 DUVAL COUNTY WHICH WERE IMPACTED BY COVID-19  
12 AND HAD TO TEMPORARILY CLOSE AFTER THE  
13 GOVERNOR AUTHORIZED PHASE 1 REOPENING ON MAY  
14 4, 2020 IN ORDER TO PERFORM SANITIZATION OR  
15 DEEP CLEANING MEASURES FOLLOWING EMPLOYEE OR  
16 CUSTOMER EXPOSURE TO COVID-19 SO THAT THE  
17 SMALL BUSINESS COULD REOPEN; PROVIDING FOR  
18 MONTHLY REPORTS TO CITY COUNCIL; PROVIDING  
19 FOR REVERTER OF UNSPENT FUNDS; REQUESTING THAT  
20 THE FINANCE AND ADMINISTRATION DEPARTMENT  
21 OVERSEE THE GRANT PROCESS AND PROGRAM;  
22 REQUESTING EMERGENCY ONE CYCLE PASSAGE;  
23 PROVIDING AN EFFECTIVE DATE.

24  
25 **WHEREAS,** as elsewhere in the country, the citizens and  
26 businesses of Duval County are suffering severe economic impacts  
27 stemming in part from national, state and local measures closing  
28 certain businesses, public schools, public beaches, imposing  
29 emergency work-at-home requirements and limiting public gatherings  
30 ("Emergency Measures") in an effort to slow the infection rate of  
31 COVID-19; and

1           **WHEREAS**, on May 4, 2020, the State of Florida began its  
2 limited Phase 1 reopening of businesses pursuant to Governor  
3 DeSantis' Plan for Florida's Recovery; and

4           **WHEREAS**, since that time many local businesses have carefully  
5 planned and formulated procedures for reopening to the public which  
6 have included thorough cleaning guidelines as recommended by the  
7 Centers for Disease Control and the use of masks and social  
8 distancing to keep the public safe while in those businesses; and

9           **WHEREAS**, unfortunately, since the state-wide reopening  
10 beginning on May 4<sup>th</sup>, several local businesses have had to close  
11 temporarily when employees have either tested positive for COVID-19  
12 or when employees have come in contact with customers or other  
13 individuals who have tested positive for COVID-19; and

14           **WHEREAS**, in order to reopen a building or premises following  
15 such situation, many businesses have undertaken a heightened  
16 cleaning procedure to sanitize for the public and sometimes  
17 professional sanitization and cleaning companies are hired to  
18 perform the work to ensure that building or premises is sterile  
19 before reopening; and

20           **WHEREAS**, the costs upon small businesses to undergo such  
21 additional deep cleaning procedures can be quite extensive,  
22 especially when added to the correlating loss of income the  
23 business faces while the business is closed for deep cleaning and  
24 sanitization; and

25           **WHEREAS**, the City is mindful of the ongoing complications and  
26 business interruptions that local businesses have faced in the  
27 midst of the COVID-19 pandemic and desires to use funds received  
28 from the federal government through the CARES Act to provide  
29 reimbursement of the costs of sanitization and cleaning of  
30 buildings and premises associated with COVID-19 outbreak closures,  
31 up to \$10,000 per small business, provided that receipts or other

1 corresponding documentation showing the expenditure of these costs  
2 by the small business and that is not subject to reimbursement  
3 through insurance, contribution, or other set off; and

4 **WHEREAS**, disbursement of the grant funds pursuant to the  
5 program outlined herein is intended to lessen the severe economic  
6 impacts of business disruptions caused as a direct result of the  
7 spread of the COVID-19 after small businesses have reopened  
8 pursuant to the State reopening schedule but then have had to close  
9 for deep cleaning and sanitization after employees or customers  
10 have tested positive with COVID-19; now therefore

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

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

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

15 (b) By providing financial reimbursement for certain small  
16 businesses who have incurred costs of deep cleaning and sanitizing  
17 buildings or premises after the state-wide reopening on May 4, 2020  
18 but had to close after an employee or customer tested positive with  
19 COVID-19, which caused additional business interruptions and  
20 expenses to the business, the program discussed herein (the  
21 "Program") is designed to benefit small businesses affected and will  
22 promote and further the public and municipal purposes of the City  
23 and serve to limit the severe economic impacts of COVID-19.

24 (c) The Program is designed to provide rapid economic relief  
25 to small businesses who have suffered business interruptions as a  
26 result of deep cleaning and sanitization in order to maintain the  
27 viability of such businesses, thus maintaining the City's tax base  
28 and revenues.

29 (d) The Program will provide economic relief to small  
30 businesses, thus encouraging ongoing compliance with the Emergency  
31 Measures and benefitting the health, safety and welfare of the

1 citizens of Duval County.

2 (e) The provision of the City's assistance as identified  
3 herein is a necessary expenditure incurred due to the public health  
4 emergency with respect to COVID-19, were not accounted for in the  
5 City's most recently approved budget, and will reimburse expenses  
6 incurred after May 4, 2020 and prior to November 1, 2020;

7 (f) The public expenditures are appropriate to make the  
8 Program feasible and the City's assistance is reasonable and not  
9 excessive, taking into account the extent of the public benefits  
10 expected to be derived from the Program, and taking into account all  
11 other forms of assistance available.

12 (g) The authorizations provided by this Ordinance are for  
13 public uses and purposes for which the City may use its powers as a  
14 county, municipality and as a political subdivision of the State of  
15 Florida and may expend public funds, and the necessity in the public  
16 interest for the provisions herein enacted is hereby declared as a  
17 matter of legislative determination.

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

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

25 (The account information is attached hereto as **Exhibit 1** and  
26 incorporated herein by this reference)

27 (a) Appropriated from:

28 See attached **Exhibit 1** \$1,000,000

29 (b) Appropriated to:

30 See attached **Exhibit 1** \$1,000,000

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

1 The funding above is from the Federal CARES Act Grant  
2 Funding received by the City from the Federal Government  
3 pursuant to CARES Act. The funds will be used to provide  
4 financial assistance to Duval County small businesses  
5 that have experienced additional expenses due to deep  
6 cleaning and sanitizing after the state-wide reopening on  
7 May 4, 2020 and necessitated after employees or customers  
8 were exposed to COVID-19 and the business had to close  
9 temporarily to create a sterile environment for the  
10 business reopening.

11 **Section 3. Purpose.** The purpose of the appropriation in  
12 Section 2 is to provide one time grants up to \$10,000 each to  
13 eligible Duval County small businesses to reimburse them for  
14 expenses incurred after the state-wide reopening on May 4, 2020 for  
15 sanitization and deep cleaning undertaken and necessitated when  
16 employees or customers were exposed to COVID-19 and the business  
17 had to close temporarily to sterilize the building and premises.

18 **Section 4. Reverter.** Any funds that are not spent for the  
19 purposes set forth in this Ordinance by December 31, 2020 shall  
20 revert back to the account of origin.

21 **Section 5. Small Businesses Reimbursement Assistance**  
22 **Program approved.** For a period from the Effective Date of this  
23 Ordinance until November 1, 2020, the City is authorized to award  
24 Reimbursement Assistance to eligible Duval County small businesses  
25 in a one-time grant of up to \$10,000 to approved applicants in  
26 accordance with the criteria attached hereto as **Exhibit 2** and  
27 incorporated herein reference. The program is designed to provide  
28 reimbursement of expenses to Duval County small businesses that  
29 experienced additional costs related to sanitizing and deep  
30 cleaning the building or premises after the state-wide reopening on  
31 May 4, 2020 and following an employee or customer testing positive

1 for COVID-19 causing the business to temporarily close while taking  
2 heightened measures to disinfect or sterilize the building or  
3 premises. The funds can be used for the costs associated with deep  
4 cleaning and sanitization of the building, by the business or a  
5 third party. The City will make a one-time payment of up to \$10,000  
6 to approved applicants. The eligibility criteria include that an  
7 applicant: (i) must be a small business located in Duval County;  
8 (ii) demonstrate expenses incurred from deep cleaning and  
9 sanitizing the building or premises after an employee or customer  
10 tested positive for COVID-19 causing the business to temporarily  
11 close after the state-wide reopening on May 4; (iii) the applying  
12 business must own the building or represent that the business is  
13 responsible for the expenses related to deep cleaning and  
14 sanitizing the premises; and (iv) only one grant shall be  
15 administered for each small business per address.

16 **Section 6. Oversight Department.** The Finance and  
17 Administration Department shall provide oversight for the Program  
18 herein.

19 **Section 7. Monthly Report.** The Finance and  
20 Administration Department is required to make a report monthly to  
21 the City Council concerning the use of the funds authorized hereby  
22 for the Program, including the number of recipients and dollar  
23 amounts of the Grants.

24 **Section 8. Requesting Emergency One Cycle Passage**  
25 **pursuant to Council Rule 4.901.** Emergency one cycle passage of this  
26 legislation is requested. The nature of the emergency is that the  
27 Council Auditor's Office has identified additional CARES Act  
28 funding that must be used for COVID-19 purposes before December 31,  
29 2020 and at the same time local small business owners have informed  
30 the Council that they have incurred significant additional costs  
31 from COVID-19 when they have had to deep clean and sanitize

1 properties after employees or customers have tested positive to  
2 COVID-19 and the business must temporarily close in order to  
3 disinfect or sterilize the building or premises. These business  
4 interruption costs, in addition to the other economic impacts of  
5 the COVID-19 pandemic, are putting a severe strain on local small  
6 businesses. As such, it is urgent that the funds be appropriated  
7 and expended as soon as possible, so that maximum use of the funds  
8 can be made in accordance with CARES Act requirements.

9           **Section 9.           Effective Date.** This ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

12  
13 Form Approved:

14  
15 /s/ Paige H. Johnston

16 Office of General Counsel

17 Legislation prepared by: Paige H. Johnston

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