

1 Introduced by the Finance Committee:
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4 **ORDINANCE 2021-454**

5 AN ORDINANCE REGARDING CARES ACT QUALIFIED
6 EXPENDITURES AND MAKING CERTAIN FINDINGS;
7 APPROPRIATING \$306,120.64 IN CORONAVIRUS AID,
8 RELIEF, AND ECONOMIC SECURITY ("CARES") ACT
9 FUNDING TO FIRST COAST CRIME STOPPERS, INC.
10 (\$47,313.77), CATHEDRAL DISTRICT-JAX, INC.
11 (\$47,313.77), KAYLA MILL BOUTIQUE
12 (\$13,910.36), BLU DINER, INC. (\$32,457.50),
13 BEACHES HABITAT FOR HUMANITY, INC.
14 (\$47,313.77), HOPE HAVEN ASSOCIATION, INC.
15 (\$47,313.77), OVERFLOW HEALTH ALLIANCE, INC.
16 (\$23,183.93), AND RIVERSIDE-AVONDALE
17 PRESERVATION, INC. (\$47,313.77) FOR OTHER
18 CARES ACT QUALIFYING EXPENDITURES ("GRANT
19 RECIPIENTS"); APPROVING, AND AUTHORIZING THE
20 CITY TO ENTER INTO, COVID-19 FOR-PROFIT AND
21 NON-PROFIT BUSINESS RELIEF GRANT AGREEMENTS;
22 INVOKING THE EXCEPTION OF 126.107(G)
23 (EXEMPTIONS), CHAPTER 126 (PROCUREMENT CODE),
24 ORDINANCE CODE, TO DIRECT CONTRACT WITH GRANT
25 RECIPIENTS; PROVIDING FOR OVERSIGHT BY THE
26 FINANCE AND ADMINISTRATION DEPARTMENT;
27 REQUESTING EMERGENCY PASSAGE UPON
28 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.
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30 **WHEREAS**, pursuant to Ordinances 2020-235-E and 2020-378-E, the
31 City appropriated approximately \$167,120,861.00 of CARES Act grant

1 funding from the U.S. Department of Treasury to fund various grants
2 and other programs designed to provide economic relief and
3 assistance to individuals and businesses throughout Duval County,
4 Florida; and

5 **WHEREAS**, recognizing the CARES Act, as subsequently amended by
6 the Consolidated Appropriations Act (2021), requires that all
7 eligible costs be incurred on or before December 31, 2021, the City
8 desires to appropriate and authorize disbursement of \$306,120.64 in
9 unexpended CARES Act grant funds previously appropriated to a
10 COVID-19 Council Identified Priorities contingency account by
11 Ordinance 2021-354-E to various grant and relief programs
12 established by the City to provide funding for other eligible
13 expenses as more fully set forth herein; now therefore

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

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

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

18 (b) The grants and actions authorized hereby will provide
19 economic relief to individuals and businesses located in Duval
20 County, Florida, thus benefitting the health, safety and welfare of
21 the citizens of Duval County.

22 (c) The provision of the City's assistance as set forth
23 herein is necessary and appropriate, and the City's assistance is
24 reasonable and not excessive, taking into account the extent of the
25 public benefits expected to be derived from the grants and other
26 relief authorized hereby, and taking into account all other forms
27 of assistance available.

28 (d) The authorizations provided by this Ordinance are for
29 public uses and purposes for which the City may use its powers as a
30 county, municipality and as a political subdivision of the State of
31 Florida and may expend public funds, and the necessity in the

1 public interest for the provisions herein enacted is hereby
2 declared as a matter of legislative determination.

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

6 **Section 2. Appropriation.** For the 2020-2021 fiscal year,
7 within the City's budget, there are hereby appropriated the
8 indicated sum(s) from the account(s) listed in subsection (a) to
9 the account(s) listed in subsection (b):

10 (The account information is attached hereto as **Exhibit 1** and
11 incorporated herein by this reference):

12 (a) Appropriated from:

13 See Exhibit 1 \$306,120.64

14 (b) Appropriated to:

15 See Exhibit 1 \$306,120.64

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

17 The funding appropriated above is an appropriation of the
18 remaining balance of \$306,120.64 in unexpended
19 Coronavirus Aid, Relief, and Economic Security Act grant
20 funds from the COVID-19 Council Identified Priorities
21 contingency account established by Ord. 2021-354-E to the
22 COVID-19 For Profit/Non-Profit Business Support account
23 to provide financial assistance to businesses suffering
24 from the continued economic impact of COVID-19.

25 **Section 3. Approval and Authorization to Execute a COVID-**
26 **19 For-profit and Non-profit Business Relief Grant Agreement**
27 **Between the City and the grant recipients.** There is hereby
28 approved, and the Mayor, or his designee, and the Corporation
29 Secretary are hereby authorized to execute a COVID-19 CARES Act
30 Subrecipient Agreement with First Coast Crime Stoppers, Inc.
31 (\$47,313.77), Cathedral District-Jax, Inc. (\$47,313.77), Kayla Mill

1 Boutique (\$13,910.36), Blu Diner, Inc. (\$32,457.50), Beaches
2 Habitat for Humanity, Inc. (\$47,313.77), Hope Haven Association,
3 Inc. (\$47,313.77), Overflow Health Alliance, Inc. (\$23,183.93), and
4 Riverside-Avondale Preservation, Inc. (\$47,313.77), the "Grant
5 Recipients", in substantially the same form as is attached hereto
6 as **Exhibit 2** and incorporated herein by this reference the
7 ("Agreement"), to be used to offset business interruption expenses
8 and economic losses due to COVID-19, subject to the terms and
9 restrictions of the CARES Act. The Agreement may include such
10 additions, deletions and changes as may be reasonable, necessary
11 and incidental for carrying out the purposes set forth in this
12 Ordinance, as may be acceptable to the Mayor, or his designee, with
13 such inclusion and acceptance being evidenced by execution of the
14 Agreement by the Mayor, or his designee; provided however, such
15 modifications shall be technical only, subject to appropriate legal
16 review and approval by the Office of General Counsel, and shall be
17 undertaken in compliance with any applicable requirements of the
18 CARES Act, consistent with the intent of this Ordinance. For the
19 purposes of this Ordinance, the term "technical changes" is defined
20 as those having no financial impact to the City and any other non-
21 substantive changes.

22 **Section 4. Invoking the Exception to Section 126.107(g),**
23 **Ordinance Code.** The City is hereby authorized to enter into direct
24 agreements, as authorized herein, with the Grant Recipients for the
25 purposes of providing COVID-19 relief and assistance as more fully
26 set forth herein. Pursuant to Section 126.107(g) (Exemptions), Part
27 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
28 *Code*, such procurement is exempted from competitive solicitation
29 because the supplies or services are to be provided by those
30 specifically prescribed within authorizing legislation that
31 appropriates the same. With the exception of the foregoing, all

1 other provisions of Chapter 126, *Ordinance Code*, shall remain in
2 full force and effect. The failure of any entity identified herein
3 to enter into the applicable agreement with the City shall render
4 such entity ineligible to receive the grant funds authorized
5 hereby.

6 **Section 5. Oversight.** The Mayor is requested to appoint
7 the Finance and Administration Department to oversee the project in
8 Section 3 above and to ensure compliance with all other appropriate
9 laws.

10 **Section 6. Requesting Emergency Upon Introduction Passage**
11 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
12 introduction of this legislation is requested. The nature of the
13 emergency is that the CARES Act requires that Grant Recipients
14 expend the Funds on or before December 31, 2021.

15 **Section 7. Effective Date.** This Ordinance shall become
16 effective upon signature by the Mayor or upon becoming effective
17 without the Mayor's signature.

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21 Form Approved:

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23 /s/ Margaret M. Sidman

24 Office of General Counsel

25 Legislation prepared by: Margaret M. Sidman

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