

1 Introduced by the Council President at the Request of the Mayor:
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4 **ORDINANCE 2021-516**

5 AN ORDINANCE MAKING CERTAIN FINDINGS AND
6 APPROPRIATING \$141,897,895 IN CORONAVIRUS
7 RELIEF, FISCAL RECOVERY, AND CRITICAL CAPITAL
8 PROJECTS FUNDS FROM THE U.S. DEPARTMENT OF
9 TREASURY IN ACCORDANCE WITH THE AMERICAN RESCUE
10 PLAN ACT OF 2021 (THE "ARP ACT") TO SUPPORT
11 CONTINUED COVID-19 RESPONSE EFFORTS AND TO
12 PROVIDE FUNDING FOR ELIGIBLE CAPITAL IMPROVEMENT
13 AND AFFORDABLE HOUSING PROJECTS, DEPARTMENTAL
14 ENHANCEMENTS, AND OTHER QUALIFIED EXPENSES, AS
15 INITIATED BY B.T. 21-093; AUTHORIZING VARIOUS
16 DISBURSEMENTS OF ARP ACT FUNDING INCLUDING: (1)
17 \$50,000,000 TO THE CITY'S WATER/WASTEWATER
18 SYSTEM FUND FOR SEPTIC TANK PHASEOUT CAPITAL
19 PROJECTS; (2) \$20,000,000 FOR PREMIUM PAY RAISES
20 FOR CITY EMPLOYEES IN ACCORDANCE WITH THE ARP
21 ACT; (3) \$20,000,000 FOR ONE-TIME PREMIUM
22 PAYMENTS TO CITY EMPLOYEES IN ACCORDANCE WITH
23 THE ARP ACT; (4) \$24,000,000 FOR ROADWAY
24 RESURFACING CAPITAL PROJECTS; (5) \$19,123,489
25 FOR VARIOUS ELIGIBLE CITY DEPARTMENTAL
26 ENHANCEMENTS; (6) \$4,724,406 TO SHANDS
27 JACKSONVILLE MEDICAL CENTER, INC.; (7)
28 \$3,000,000 TO LIFT JAX, INC. FOR THE EASTSIDE
29 AFFORDABLE HOUSING DEVELOPMENT PROGRAM; (8)
30 \$1,000,000 TO ABILITY HOUSING, INC. FOR THE
31 ABILITY PSH-10 PROGRAM; APPROVING AND

1 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND THE
2 CORPORATION SECRETARY TO EXECUTE AND DELIVER A
3 GRANT AGREEMENT WITH LIFT JAX, INC.; INVOKING
4 THE EXCEPTION OF SECTION 126.107(G)
5 (EXEMPTIONS), PART 1 (GENERAL REGULATIONS),
6 CHAPTER 126 (PROCUREMENT CODE), *ORDINANCE CODE*,
7 TO ALLOW FOR A DIRECT CONTRACT WITH LIFT JAX,
8 INC.; APPROVING AND AUTHORIZING THE MAYOR, OR
9 HIS DESIGNEE, AND THE CORPORATION SECRETARY TO
10 EXECUTE AND DELIVER A GRANT AGREEMENT WITH
11 ABILITY HOUSING, INC.; INVOKING THE EXCEPTION OF
12 SECTION 126.107(G) (EXEMPTIONS), PART 1 (GENERAL
13 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
14 *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT
15 WITH ABILITY HOUSING, INC.; PROVIDING FOR
16 GENERAL OVERSIGHT OF DISTRIBUTION AND
17 EXPENDITURE OF THE ARP ACT FUNDS BY THE FINANCE
18 AND ADMINISTRATION DEPARTMENT AND OVERSIGHT OF
19 THE DIRECT CONTRACTS WITH LIFT JAX, INC. AND
20 ABILITY HOUSING, INC. BY THE NEIGHBORHOODS
21 DEPARTMENT; PROVIDING FOR COMPLIANCE WITH
22 APPLICABLE ARP ACT GRANT FUNDING REQUIREMENTS;
23 PROVIDING AN EFFECTIVE DATE.

24
25 **WHEREAS**, the Novel Coronavirus Disease 2019 ("COVID-19") was
26 first discovered in the United States in January 2020 and since that
27 time this severe, acute respiratory illness has infected over 32
28 million and killed over 610,000 Americans; and

29 **WHEREAS**, the impacts of the COVID-19 pandemic have been severe
30 and far-reaching, affecting all facets of the American economy and
31 daily life, resulting in the highest national unemployment rates in

1 over seventy years, creating food and housing insecurity for a
2 significant portion of the population, and leading to economic harm
3 and disruption to businesses of all sizes and to governments at all
4 levels; and

5 **WHEREAS**, the United States federal government recognizes that
6 state, territorial, tribal and local governments have been called on
7 to respond to COVID-19 at an immense scale, including efforts to
8 prevent and address spread of the disease, while also launching major
9 efforts to address the economic impacts of the pandemic as efficiently
10 as possible in a manner that is tailored to meet the specific needs
11 of each community; and

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

17 **WHEREAS**, the ARP Act provides that these funds may be used for
18 various projects and purposes that include: (1) efforts to respond
19 to the COVID-19 public health emergency and its negative economic
20 impacts, including assistance to households, small businesses, and
21 non-profits, (2) providing premium pay to eligible government workers
22 performing essential work during the COVID-19 public health
23 emergency, (3) offsetting the costs of providing government services,
24 to the extent of the reduction in revenue experienced due to the
25 COVID-19 public health emergency, and (4) making necessary
26 improvements to water, sewer, or broadband infrastructure; and

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

31 **WHEREAS**, the Mayor, as Chief Executive Officer of the City, has

1 determined that all City employees performing work during, and in
2 response to, the COVID-19 public health emergency constitute
3 "eligible workers" necessary to maintain continuity of City
4 operations and essential critical infrastructure which is critical
5 to protect the health and well-being of the residents of Duval County,
6 Florida; and

7 **WHEREAS,** the City desires to appropriate and authorize
8 disbursement of \$141,897,895 in local fiscal recovery funds in
9 accordance with the ARP Act for the various purposes and to various
10 recipients as more fully set forth herein; 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) The grants and actions authorized hereby will provide
16 economic relief that encourages recovery of the local economy and
17 benefits the health, safety and welfare of the citizens of Duval
18 County.

19 (c) The distribution of ARP Act funds as set forth herein is
20 necessary and appropriate, and is reasonable and not excessive, taking
21 into account the extent of the public benefits expected to be derived
22 from the grants and other relief authorized hereby, and taking into
23 account all other forms of economic assistance available.

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

30 (e) This Ordinance is adopted pursuant to the provisions of
31 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's

1 \$24,000,000 for roadway resurfacing capital projects; (5) \$19,123,489
2 for various eligible City departmental enhancements; including, but
3 not limited to: information technology network and security systems
4 upgrades, portable radio refresh costs, enhanced cleaning services
5 at City facilities, and various equipment additions and upgrades for
6 the Jacksonville Fire Rescue Department and Jacksonville Sheriff's
7 Office; (6) \$4,724,406 to Shands Jacksonville Medical Center, Inc.
8 for indigent health care; (7) \$3,000,000 to LIFT JAX, INC. for the
9 Eastside Affordable Housing Development Program; and (8) \$1,000,000
10 to Ability Housing, Inc. for the Ability PSH-10 Program.

11 **Section 4. Approval and authorization to execute a grant**
12 **agreement between the City and LIFT JAX, INC. ("LIFT JAX").** The
13 Mayor, or his designee, and the Corporation Secretary are hereby
14 authorized to execute and deliver, on behalf of the City, a grant
15 agreement with LIFT JAX, INC., in accordance with Chapter 118, Parts
16 1 - 5, *Ordinance Code*, and subject to applicable requirements under
17 the ARP Act, in a not-to-exceed amount of \$3,000,000 for the Eastside
18 Affordable Housing Development Program, as more fully described in
19 **Exhibit 2** attached hereto and incorporated herein by this reference,
20 and all other contracts, memorandums of understanding and documents,
21 including extensions, renewals or amendments thereto, and to
22 otherwise take all action necessary to effectuate the intent of this
23 Ordinance, subject to appropriate legal review and approval by the
24 Office of General Counsel and the City's Risk Management Division for
25 appropriate insurance and indemnification requirements in accordance
26 with Section 128.601, *Ordinance Code*.

27 **Section 5. Invoking the exception to Section 126.107(g),**
28 **Ordinance Code.** The City is hereby authorized to enter into a grant
29 agreement with LIFT JAX for the Eastside Affordable Housing
30 Development Program described in Exhibit 2. Pursuant to Section
31 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126

1 (Procurement Code), *Ordinance Code*, such procurement is exempted from
2 competitive solicitation because the supplies or services are to be
3 provided by those specifically prescribed within the authorizing
4 legislation that appropriates the same. With the exception of the
5 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
6 remain in full force and effect.

7 **Section 6. Approval and authorization to execute a grant**
8 **agreement between the City and Ability Housing, Inc. ("Ability**
9 **Housing").** The Mayor, or his designee, and the Corporation Secretary
10 are hereby authorized to execute and deliver, on behalf of the City,
11 a grant agreement with Ability Housing, Inc., in accordance with
12 Chapter 118, Parts 1 - 5, *Ordinance Code*, and subject to applicable
13 requirements under the ARP Act, in a not-to-exceed amount of
14 \$1,000,000 for the Ability PSH-10 Program, as more fully described
15 in **Exhibit 3** attached hereto and incorporated herein by this
16 reference, and all other contracts, memorandums of understanding and
17 documents, including extensions, renewals or amendments thereto, and
18 to otherwise take all action necessary to effectuate the intent of
19 this Ordinance, subject to appropriate legal review and approval by
20 the Office of General Counsel and the City's Risk Management Division
21 for appropriate insurance and indemnification requirements in
22 accordance with Section 128.601, *Ordinance Code*.

23 **Section 7. Invoking the exception to Section 126.107(g),**
24 ***Ordinance Code*.** The City is hereby authorized to enter into a grant
25 agreement with Ability Housing for the Ability PSH-10 Program
26 described in Exhibit 3. Pursuant to Section 126.107(g) (Exemptions),
27 Part 1 (General Regulations), Chapter 126 (Procurement Code),
28 *Ordinance Code*, such procurement is exempted from competitive
29 solicitation because the supplies or services are to be provided by
30 those specifically prescribed within the authorizing legislation that
31 appropriates the same. With the exception of the foregoing, all

