

Special Committee on the Community Benefits Agreement 2.0

List of Proposed Changes Received by the Office of General Counsel

Council Member Peluso

1. Delete Section 118.906 in its entirety.
2. Subsection 118.907(b) – clarify that a “Florida Corporation” includes both non-profits and for-profit businesses.
3. Delete requirement for proof of cash match in Subsection 118.907(k).
4. Include language requiring all Board meetings be held in a publicly accessible location, noticed and open to the public.
5. Remove the Kids Hope Alliance Program from the list in Section 118.903.
6. Require that the CBA funds shall only be disbursed to for-profits or non-profits for the purposes of programming directly intended to support the public good of Eastside and not to individuals.
7. Authorize the Board of Directors to establish its own procurement process.

Council Member J. Carlucci

1. Amend Section 118.903 to include Public Service Grants Program pursuant to Chapter 118, Part 8 on the list.

Council Member Salem

1. Incorporate additional guardrails on disbursement/use of City funds. This could include:
 - a. Adding a requirement for submittal of eligibility documents with a grant application such as those required to apply for Opioid or PSG grants from the City as follows:
 - i. Copy of good standing certificate issued within the last 12 months by the Florida Division of Corporations evidencing the requesting agency is in good standing and has been in existence for three years prior to the grant application deadline;
 - ii. Either:
 1. A copy of the requesting agency’s current Charitable Solicitation Permit issued by the State of Florida; or
 2. A state letter of exemption indicating the agency is exempt pursuant to Section 496.406(3), *Florida Statutes*.
 - iii. Additional financial information:
 1. Copies of requesting agency’s fiscal balance sheets and statements of income and expenses for the last two fiscal years of the requesting agency; and
 2. Copies of the requesting agency’s completed and filed federal tax returns for the last three years;
 3. Agencies exempt from filing federal tax returns can file:
 - a. IRS certification of exemption; and

- b. Copies of audit reports for the last three years; or
 - c. For agencies that do not have the required audit reports, the agency must submit its financial information in a form and substance reasonably acceptable to the Finance Department.
 - 4. If the agency does not have the financial information outlined in i.-iii. Above, then the agency must submit its financial information in a form and substance acceptable to the Finance Department.
 - b. Requirement that the requesting agencies attend a Mandatory Application Workshop coupled with a requirement that the Board provide at least two such Workshops.
 - c. An original Affidavit submitted by the requesting agency's executive director, CEO or COO, President, Vice President or Board Chairman certifying that:
 - i. The requesting agency's program will be operated in Duval County and serve residents of Duval County (Eastside);
 - ii. The requesting agency's funded program will serve the funded category for the grant application cycle for which it is applying;
 - iii. The requesting agency is not receiving funding from any of the City programs listed in Section 118.903;
 - iv. The requesting agency's appropriation request for multiple or single programs or projects does not exceed the aggregate of 24% (50%?) of the requesting agency's annual revenue averaged over the previous three tax years;
 - v. The requesting agency is in compliance with the terms of all existing City agreements to which the requesting agency is a party; and
 - vi. The requesting agency is in compliance with all applicable state, federal and local laws, rules and regulations.
 - d. Including a requirement that the Grant Application used elicit specific information.
 - e. Including requirements pertaining to scoring/ranking of applications – number of reviewers, specific evaluation criteria (see Section 118.908), points to be awarded for each criterion/weighting of criteria, etc.
 - f. Limitations on grant awards such as:
 - i. Maximum amount that can be awarded to any requesting agency – could be total or per program/project applied for.
 - ii. Limitation on number of programs or projects a single requesting agency can submit an application for during a single grant cycle. If multiple are allowed in a specific funding category, can limit the award to the highest scored program/project.

1 Introduced by the Special Committee on the Community Benefits
2 Agreement 2.0 (Council Members Arias, Salem, Amaro, Clark-Murray and
3 Peluso):

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6 **ORDINANCE 2025-**

7 AN ORDINANCE ESTABLISHING AN EASTSIDE COMMUNITY
8 GRANTS PROGRAM; CREATING A NEW PART 9 (EASTSIDE
9 COMMUNITY GRANTS PROGRAM), CHAPTER 118 (CITY
10 GRANTS), *ORDINANCE CODE*, TO CREATE A NEW GRANTS
11 PROGRAM PURSUANT TO WHICH FUNDS DESIGNATED FOR
12 PROGRAMS, SERVICES, AND INITIATIVES FOR
13 AFFORDABLE HOUSING, WORKFORCE HOUSING, ECONOMIC
14 DEVELOPMENT AND MITIGATION OF HOMELESSNESS IN
15 THE EASTSIDE, AS DEFINED IN THE SUPPLEMENTAL
16 JACKSONVILLE STADIUM COMMUNITY BENEFITS
17 AGREEMENT APPROVED AND AUTHORIZED BY ORDINANCE
18 2024-905-E, MAY BE DISBURSED TO QUALIFIED
19 ORGANIZATIONS; PROVIDING FOR OVERSIGHT AND
20 ADMINISTRATION OF THE EASTSIDE COMMUNITY GRANTS
21 PROGRAM BY HISTORIC EASTSIDE CBA ORGANIZATION,
22 INC. AS DESCRIBED HEREIN; PROVIDING FOR
23 SEVERABILITY; PROVIDING FOR CODIFICATION
24 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

25
26 **BE IT ORDAINED** by the Council of the City of Jacksonville:

27 **Section 1. Creating a new Part 9 (Eastside Community Grants**
28 **Program), Chapter 118 (City Grants), Ordinance Code.** A new Part 9
29 (Eastside Community Grants Program), Chapter 118 (City Grants),
30 *Ordinance Code*, is hereby created to read as follows:

31 **CHAPTER 118 - CITY GRANTS**

* * *

PART 9. - EASTSIDE COMMUNITY GRANTS PROGRAM

Sec. 118.901. - Creation and purpose.

There is hereby created an Eastside Community Grants Program ("Eastside Grants Program") which shall be administered by the Historic Eastside CBA Organization, Inc. ("Eastside CBA Organization") Board of Directors as described herein. The mission and purpose of the Eastside Grants Program is to provide a process by which funds made available for the Eastside Strategic Focus through the Supplemental Jacksonville Stadium Community Benefits Agreement, approved and authorized by Ordinance 2024-905-E, will be distributed within the Eastside, as depicted in Figure 1 below, to provide public support to organizations operating or administering programs, services, or initiatives for Affordable Housing, Workforce Housing, economic development, and/or mitigation of homelessness in Eastside. Chapter 118, Parts 1 through 5 shall apply to this Part 9.

Figure 1: Eastside Map



20 **Sec. 118.902. - Definitions.**

21 The following terms, wherever used in this Part, shall have the
22 following respective meanings for the purposes of this Part, unless
23 different meanings are clearly indicated by the context or as
24 referenced within specific Sections.

25 *Affordable housing* means housing on which the occupant is paying
26 no more than 30 percent of the amount that is equal to 80 percent of
27 the Local Area Median Income for housing costs, including utilities,
28 unless the U.S. Department of Housing and Urban Development publishes
29 a codified definition of "affordable housing" in which case such
30 definition shall be used hereunder.

31 *Eastside* shall mean the area shaded in pink and located generally

1 within the boundaries identified on Figure 1 of Section 118.901.

2 *Eastside Strategic Focus* shall mean economic development,
3 Affordable Housing, Workforce Housing and the mitigation of
4 homelessness in Eastside as provided in the Supplemental Jacksonville
5 Stadium Community Benefits Agreement approved and authorized by
6 Ordinance 2024-905-E.

7 *Local Area Median Income* shall mean the median gross income for
8 Duval County, Florida, as published annually by the U.S. Department
9 of Housing and Urban Development (currently the Jacksonville, FL HUD
10 Metro FMR Area).

11 *Workforce Housing* shall mean housing that is not Affordable
12 Housing but is housing on which the occupant is paying no more than
13 30 percent of the amount that is equal to 120 percent of the Local
14 Area Median Income for housing costs, including utilities.

15 **Sec. 118.903. - Responsibility.**

16 (a) CBA Organization board appointments and terms:

17 (1) *Composition of Eastside CBA Organization Board of*
18 *Directors.* Historic Eastside CBA Organization, Inc. is a
19 not-for-profit 501(c)(3). The Eastside CBA Organization
20 Board of Directors (the "Board") shall consist of nine
21 voting members, four to be appointed by the Council
22 President and confirmed by the City Council, four to be
23 appointed by the Mayor and confirmed by the City Council,
24 and one current employee of Jacksonville Jaguars, LLC
25 ("JJL") to be selected by JJL.

26 (2) *Terms.* Pursuant to the CBA Organization bylaws, the Mayor
27 and Council President appointees shall serve staggered two-
28 year terms commencing March 1 or upon confirmation by the
29 City Council, whichever is earlier, but shall serve until
30 their successor is appointed and confirmed by the City
31 Council. Of the initial appointments by the Mayor and

1 Council President, four members, two appointed by the
2 Council President and two appointed by the Mayor, shall
3 serve an initial two-year first full term and four members,
4 two appointed by the Council President and two appointed
5 by the Mayor, shall serve an initial one-year first full
6 term. No member shall serve more than two consecutive full
7 terms; but appointments to fill vacancies for partial terms
8 (less than 50 percent of a full term) and initial
9 appointments under the preceding sentence for less than
10 two years, shall not be deemed full terms and said members
11 may be reappointed for up to two additional consecutive
12 full terms.

13 (3) *Removal.* The members appointed by the Mayor shall serve
14 and be removed at the pleasure of the Mayor. Members
15 appointed by the Council President shall serve and be
16 removed at the pleasure of the Council President.

17 (4) *Qualifications.* To the extent feasible, the Mayor and
18 Council President shall endeavor to appoint members who
19 reside in or have a substantial economic business interest
20 in each of the five neighborhoods that comprise the
21 Eastside as visually depicted in Figure 1 of Section
22 118.901 as follows:

23 (i) Campbells Addition;

24 (ii) Fairfield;

25 (iii) Longbranch;

26 (iv) Oakland; and

27 (v) Phoenix.

28 No more than three members, regardless of appointing
29 authority, shall reside in or have a substantial business
30 interest in a single neighborhood.

31 (b) Eastside CBA Organization is hereby designated as the agent of

1 the City for the purposes of determining and authorizing the
2 allocation of a lump sum Eastside Grants Program appropriation
3 designated in the annual budget ordinance or supplemental
4 appropriation ordinances as being appropriated for eligible
5 recipients. The determinations and authorizations made by
6 Eastside CBA Organization in accordance with the provisions of
7 this Section shall be final and not subject to further
8 administrative review by any executive or administrative
9 official of the City. Any entity receiving funding through the
10 Eastside Grants Program shall be ineligible to receive funding
11 through another City program, including but not limited to, the
12 programs listed below:

- 13 (1) Cultural Service Grant Program pursuant to Chapter 118,
14 Part 6;
- 15 (2) Arts in Public Places Program pursuant to Chapter 118, Part
16 6;
- 17 (3) Kids Hope Alliance program pursuant to Chapter 77;
- 18 (4) Downtown Investment Authority and Office of Economic
19 Development Programs pursuant to Chapter 55 and Chapter
20 26, respectively;
- 21 (5) Housing and Community Development Division programs
22 pursuant to Chapter 34, Part 2; and
- 23 (6) Social Services Division programs pursuant to Chapter 28,
24 Part 5.

25 **Sec. 118.904. - Lump sum appropriation to Eastside CBA Organization.**

26 The process for the annual Eastside Grants Program appropriation
27 will begin with Eastside CBA Organization's preparation of an annual
28 appropriation request based on information provided by eligible
29 organizations in a "letter of intent." This request will reflect a
30 lump sum appropriation to be indicated in the annual City budget as
31 Eastside Grants Program. Up to 10 percent of the total lump sum

1 appropriation shall be allocated to Eastside CBA Organization for
2 administration of the Eastside Grants Program. The Eastside Grants
3 Program request shall be submitted to the Mayor for review by the
4 Mayor's Budget Review Committee ("MBRC") which will recommend a lump
5 sum appropriation to be included in the proposed budget for the
6 upcoming fiscal year. Eastside CBA Organization shall include in the
7 request relevant information regarding programs, services and
8 investments to be provided to the community as a result of the funding
9 and shall be responsible for documenting the validity of the request
10 to the MBRC, the City Council Finance Committee, and the City Council
11 throughout the budgeting process.

12 **Sec. 118.905. - Allocation by Eastside CBA Organization; generally.**

13 Final determination for allocation of funding to applicant
14 organizations from the lump sum appropriation shall be made by the
15 Eastside CBA Organization Board of Directors. Funding will be
16 allocated by contract between the recipient organization and Eastside
17 CBA Organization. Organizations will be notified in writing of the
18 results of their request and will be provided with any support
19 information or justification for the Board's decision which might be
20 helpful. A complete list of the individual operating amounts and
21 capital amounts allocations will be forwarded to the City Council
22 Auditor's office, the Office of the Mayor, the City Council, and the
23 Finance Department or other department assigned by the Mayor.

24 **Sec. 118.906. - Application for Eastside Grants Program grants.**

25 (a) The Eastside CBA Organization Board shall be responsible to
26 develop a competitive process by which applications may be
27 submitted for receipt of grants through the Eastside Grants
28 Program subject to the provisions of this Part. The Board shall
29 further be responsible for administration of the Eastside Grants
30 Program. Administrative and operating procedures shall be
31 established and amended as necessary to meet the mission of the

1 Eastside Grants Program and current needs of the community. The
2 procedure prescribed herein, as further developed by Eastside
3 CBA Organization, shall be the only procedure available to
4 organizations requesting public support through the Eastside
5 Grants Program.

6 (b) The following components shall be included in any administrative
7 and operating procedures developed and implemented by Eastside
8 CBA Organization:

9 (1) The Board's primary responsibilities with respect to the
10 applications received shall include:

11 (i) Review and evaluation of all applications based on
12 established criteria as provided herein;

13 (ii) Serve as an on-site evaluator and lead reviewer for
14 a selected number of applicants; and

15 (iii) Attend an orientation session and all review
16 sessions.

17 (2) The Board will determine the organizations to be funded
18 and the amount of funding to be allocated to each recipient
19 organization.

20 (3) Eastside CBA Organization shall publish each year in a
21 newspaper of general circulation in the City, at least one
22 month before the last day on which appropriation request
23 must be submitted to Eastside CBA Organization, a notice
24 that it is accepting Eastside Grants Program grant requests
25 for the ensuing fiscal year, stating the place where the
26 appropriation request forms may be obtained, the last day
27 on which the completed appropriation requests must be
28 returned to Eastside CBA Organization and when and where
29 Eastside CBA Organization (or a duly authorized committee
30 thereof) will hold a hearing on the appropriation requests
31 (which may include a statement that the hearing may be

1 adjourned from time to time and from place to place until
2 all the appropriation requests have been heard).

3 (4) Eastside CBA Organization shall promulgate a written
4 procedure for the submission of operations and/or capital
5 appropriation requests by eligible organizations, which
6 procedure shall be made known to each requesting
7 organization, or its agent or representative, at the time
8 the appropriation request form is supplied to the
9 requesting organization.

10 (5) Eastside CBA Organization (or a duly authorized committee
11 thereof) shall consider appropriation requests returned by
12 the requesting organizations. Eastside CBA Organization
13 shall afford the requesting organizations an opportunity
14 to make an oral or written presentation to justify or
15 explain their respective appropriation requests, and no
16 requesting organization shall be denied this opportunity
17 solely because it has never submitted an appropriation
18 request before or because a previous appropriation request
19 has been denied.

20 (6) All meetings and sessions of the Board shall be held in a
21 publicly accessible location and shall be noticed and open
22 to the public in accordance with Florida's open meetings
23 law.

24 **Sec. 118.907. - Eligibility for Eastside Grants Program grants.**

25 To be eligible for funding an organization must meet the
26 following criteria:

- 27 (a) The organization must operate in Duval County.
28 (b) At the time of application, the organization must have been in
29 existence as a Florida Corporation for at least three years and
30 must have three years of filed tax returns.
31 (c) The organization shall have a demonstrated track record in

1 successfully delivering outcomes outlined in the Eastside
2 Strategic Focus.

3 (d) The organization shall have a broad base of community
4 representation in management and membership. The members of the
5 board of directors shall not receive any compensation for their
6 service as directors, but they may be reimbursed for actual
7 monetary expenditures on behalf of the organization. The
8 corporate charter or by-laws shall provide a method of selection
9 of the board of directors which will periodically subject the
10 directors to the possibility of replacement by other qualified
11 persons. The membership of the organization shall be open to as
12 large a portion of the public as possible, subject to such
13 nondiscriminatory conditions and qualifications for membership
14 as may be imposed by the corporate charter or by-laws; provided
15 that this requirement shall not be construed to prevent or
16 prohibit an organization from having different classes of
17 membership with different conditions and qualifications for
18 admission and different relative rights, privileges, and duties.

19 (e) If the organization is a previous recipient of a City grant or
20 an Eastside Grants Program grant, the organization must have
21 submitted all required reports for previous grants.

22 (f) At least 50 percent of the organization's operating revenue or
23 support shall be derived from sources other than the Eastside
24 Grants Program or other City programs or funding.

25 (g) The organization shall provide services or activities which
26 benefit or are made available to a broad range of the people of
27 the City, focused within the Eastside community, and shall be
28 offered on a nondiscriminatory basis to those people.

29 (h) To receive general operating support, the organization must as
30 its primary function present, sponsor, exhibit or otherwise
31 offer for public consumption programs, services or activities

1 in any one or combination of the following disciplines:
2 Affordable Housing, Workforce Housing, economic development, and
3 mitigation of homelessness in Eastside.

4 (i) If a capital allocation is funded at or above \$25,000 the
5 organization must enter into a restrictive covenant agreement
6 with the City of Jacksonville to ensure dedicated use of the
7 relative facilities or properties for public purposes for a
8 period of not less than ten years.

9 (j) The organization shall make all reasonable efforts to adhere to
10 the City of Jacksonville's procurement requirements for capital
11 expenditures.

12 (k) Each recipient of operating and/or capital grant funds must go
13 through the application process to prove that the recipient
14 organization can provide at least a one-dollar cash match for
15 each dollar granted. Eastside CBA Organization will make
16 requests for disbursements of funds from the City and is
17 responsible for monitoring and ensuring the funds are spent for
18 their intended purpose and reporting on the results and use of
19 these funds to the City of Jacksonville.

20 **Sec. 118.908. - Criteria for judging applicants for Eastside Grants**
21 **Program grants.**

22 All applicants to the Eastside Grants Program will be evaluated
23 based on the following criteria:

- 24 (a) Quality of programs;
- 25 (b) Impact of the program(s) within one or more of the aforementioned
26 disciplines: Affordable Housing, Workforce Housing, economic
27 development, and mitigation of homelessness in Eastside;
- 28 (c) Eastside community outreach and service to culturally diverse
29 populations;
- 30 (d) Management capability of board and staff;
- 31 (e) Eastside community impact;

- 1 (f) Need for the organization in the Eastside community; and
- 2 (g) Exploration of innovative ideas and programming.

3 **Sec. 118.909. - Restrictions for use of Eastside Grants Program**
4 **grants.**

5 (a) Eastside Grants Program grant funds must be used for Affordable
6 Housing, Workforce Housing, economic development and/or
7 mitigation of homelessness in the Eastside.

8 (b) Each recipient of appropriations made pursuant to Chapter 118
9 is responsible for ensuring that City funds are expended
10 pursuant to Section 118.301.

11 (b) Eastside Grants Program grant funds must be kept in an individual
12 bank account, notwithstanding the provision to the contrary in
13 Section 118.201, separate from other organization funds. It may
14 be an interest-bearing account, but the total amount of the
15 grant and the interest must be spent by the end of the contract
16 period; except that a remaining balance may be maintained in the
17 Eastside Grants Program account, notwithstanding the provision
18 to the contrary in Section 118.301(a)(5). This balance must be
19 identified and documented in quarterly and year-end reports and
20 shall not exceed \$500. This balance shall be returned to the
21 City within the first 90 days of the first fiscal year in which
22 the recipient no longer receives an Eastside Grants Program
23 grant appropriation. The portion of unspent funds that exceed
24 \$500 shall follow the provisions of Section 118.301(a)(5).

25 **Sec. 118.910. - City contract, review, and oversight.**

26 (a) Upon approval of the annual budget by the City Council, one
27 contract will be prepared and administered through the Finance
28 Department, which will reflect the total amount of the lump sum
29 appropriation for Eastside Grants Program grants to all
30 organizations. Funds shall be distributed to Eastside CBA
31 Organization on a quarterly basis in amounts to be determined

1 annually, notwithstanding the provision to the contrary in
2 Section 118.201(f)(7), upon receipt by the Finance Department
3 of a quarterly financial and programmatic report.

4 (b) Eastside CBA Organization shall establish a quarterly reporting
5 system for all funded organizations which provides financial and
6 programmatic information documenting the use and impact of the
7 Eastside Grants Program grant funds.

8 (d) Eastside CBA Organization shall provide the City Auditor's
9 office with an independently prepared or audited financial
10 statement (depending on grant amount) from all recipients at the
11 conclusion of the grant period. All application forms,
12 procedures, reporting requirements, and contract agreements for
13 recipient organizations (other than Eastside CBA Organization)
14 will be developed by Eastside CBA Organization and will be
15 between Eastside CBA Organization and the individual recipient
16 organizations.

17 **Section 3. Severability.** The provisions of this Ordinance,
18 including sections and subsections within the Ordinance, are intended
19 to be severable and if any provision is declared invalid or
20 unenforceable by a court of competent jurisdiction, such provision
21 shall be severed and the remainder shall continue in full force and
22 effect, with the Ordinance being deemed amended to the least degree
23 legally permissible.

24 **Section 4. Codification Instructions.** The Codifier and the
25 Office of General Counsel are authorized to make all chapter and
26 division "tables of contents" consistent with the changes set forth
27 herein. Such editorial changes and any others necessary to make the
28 Ordinance Code consistent with the intent of this legislation are
29 approved and directed herein, and changes to the Ordinance Code shall
30 be made forthwith and when inconsistencies are discovered.

31 **Section 5. Effective Date.** This Ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective
2 without the Mayor's signature.

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4 Form Approved:

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Office of General Counsel

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Legislation Prepared By: Mary E. Staffopoulos

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