

1 The Finance Committee offers the following Substitute to File No.
2 2023-511:

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4 Introduced by Council President Salem:

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7 **ORDINANCE 2023-511**

8 AN ORDINANCE APPROPRIATING \$47,593,032
9 (\$46,968,032 FROM SPECIAL COUNCIL CONTINGENCY -
10 KHA AND \$625,000 FROM GENERAL FUND - GSD SPECIAL
11 COUNCIL CONTINGENCY) TO THE KIDS HOPE ALLIANCE
12 (KHA); PROVIDING FOR THE KIDS HOPE ALLIANCE
13 COMPREHENSIVE BUDGET TRANSFER POWERS; APPROVING
14 AND AUTHORIZING EXECUTION OF AGREEMENTS BY THE
15 MAYOR, OR HER DESIGNEE, AND THE CORPORATION
16 SECRETARY WITH NAMED GRANT RECIPIENTS; APPROVAL
17 AND AUTHORIZATION TO EXECUTE AGREEMENTS WITH
18 NAMED GRANT RECIPIENTS AND INVOKING THE
19 EXEMPTION IN SECTION 126.107(G), *ORDINANCE CODE*;
20 AUTHORIZING THE PROCUREMENT OF SERVICES PURSUANT
21 TO SINGLE-SOURCE AWARD PROVISIONS CONTAINED IN
22 SECTIONS 126.206 (SINGLE-SOURCE, NONCOMPETITIVE
23 PURCHASES) AND 126.312 (SINGLE-SOURCE
24 NONCOMPETITIVE PURCHASE OF PROFESSIONAL
25 SERVICES), CHAPTER 126 (PROCUREMENT CODE),
26 *ORDINANCE CODE*; AUTHORIZING THE PROCUREMENT OF
27 SERVICES PURSUANT TO THE COMPETITIVE
28 SOLICITATION EXEMPTIONS LISTED IN SECTION
29 126.107 (EXEMPTIONS), PART 1 (GENERAL
30 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
31 *ORDINANCE CODE*; WAIVING SECTION 77.111(A)

1 (PROVIDER CONTRACTS), CHAPTER 77 (KIDS HOPE
2 ALLIANCE), ORDINANCE CODE; WAIVING SECTION
3 77.113 (ANNUAL OPERATING BUDGET; BUDGET
4 TRANSFERS), CHAPTER 77 (KIDS HOPE ALLIANCE),
5 ORDINANCE CODE, AND SECTION 106.304 (MAYOR'S
6 TRANSFER POWER), CHAPTER 106 (BUDGET AND
7 ACCOUNTING CODE), ORDINANCE CODE, TO ALLOW FOR
8 BUDGET TRANSFERS WITHIN THE PLAN; APPROVING AND
9 AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS
10 AND INVOKING THE EXEMPTION IN SECTION
11 126.107(G), ORDINANCE CODE; AUTHORIZING THE
12 OFFICE OF GENERAL COUNSEL AND THE COUNCIL
13 AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY
14 TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN
15 EFFECTIVE DATE.

16
17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Appropriation.** For the 2023-2024 fiscal year,
19 within the City's budget, there are hereby appropriated the indicated
20 sum(s) from the account(s) listed in subsection (a) to the account(s)
21 listed in subsection (b):

22 (Account information is attached hereto as **Revised Exhibit 1** and
23 incorporated herein by this reference)

24 (a) Appropriated from:

25 See **Revised Exhibit 1** \$47,593,032

26 (b) Appropriated to:

27 See **Revised Exhibit 1** \$47,593,032

28 (c) Explanation of Appropriation: The funding above is an
29 appropriation of \$47,593,032, consisting of \$46,968,032
30 from the Special Council Contingency - KHA account and
31 \$625,000 from the General Fund - GSD Special Council

1 Contingency account, to the Kids Hope Alliance for
2 subsidies and contributions to private organizations.

3 **Section 2. Kids Hope Alliance Comprehensive Budget**
4 **Approved; Grant and Budget Transfers Authorized.** The Kids Hope
5 Alliance Fiscal Year 2023-2024 budget of \$47,593,032 for subsidies
6 and contributions to private organizations is herein appropriated as
7 provided on **Revised Exhibit 1**. Kids Hope Alliance is authorized to
8 receive grants and make budget transfers in the manner described
9 below:

10 **(a) Grants Received by Kids Hope Alliance.** The Kids Hope
11 Alliance is authorized and directed to follow the grant approval
12 process as outlined in Section 1.3 (e) (1) & (2) in the City Budget
13 Ordinance, 2023-504-E.

14 **(b) Kids Hope Alliance Transfer Authority Within the Plan.**
15 The Kids Hope Alliance is authorized to transfer, through a transfer
16 directive approved by the Mayor's Budget Review Committee, (i)
17 appropriations within each of the Essential Services Plan Categories,
18 and (ii) appropriations between Essential Services Plan Categories,
19 provided that cumulative transfers out of an Essential Service
20 Category do not exceed 25% of the individual Essential Services
21 Category budget from which the funds are being transferred. Any
22 transfer out of an Essential Services Category that results in more
23 than 25% of an individual Essential Services Category budget being
24 transferred out shall require City Council approval. In addition to
25 the transfer authority provided in the preceding sentences of this
26 subsection (b), the Kids Hope Alliance is authorized to transfer to
27 any Essential Services Category, through a transfer directive
28 approved by the Mayor's Budget Review Committee, excess funds
29 remaining after completion or termination of a contract for children's
30 services. Such transfers of excess funds shall not be included in the
31 calculation of, and shall not be subject to, the 25% limitation

1 provided in this subsection (b). There shall be provided to the
2 Council Auditor, the Council Finance Committee, and the Mayor's Budget
3 Review Committee at the end of each month a report detailing all
4 transfers made during that month.

5 **Section 3. Approval and Authorization to Execute Agreements**
6 **With Named Grant Recipients and Invoking the Exemption in Section**
7 **126.107(g), Ordinance Code.** Subject to the authorization terms in
8 Grant Agreements, the Mayor, or her designee, and the Corporation
9 Secretary and/or the Chief Executive Officer of the Kids Hope Alliance
10 ("CEO") are hereby authorized to contract directly with the entities
11 listed in the grant awards for the Criminal Justice Reinvestment,
12 Department of Health & Human Services (SAMHSA), and Department of
13 Justice grants, as shown in **Revised Schedule M** attached hereto as
14 **Revised Exhibit 2** and incorporated herein by this reference, and to
15 extend or renew such contracts to the extent that the underlying
16 grant is extended or renewed. Pursuant to Section 126.107(g)
17 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
18 Code), *Ordinance Code*, such services are exempted from competitive
19 solicitation because the services to be provided are being approved
20 pursuant to this Ordinance.

21 **Section 4. Authorization to Procure Services Pursuant to**
22 **the Single-Source Award Provisions Contained in Section 126.206 and**
23 **Section 126.312, Ordinance Code.** Kids Hope Alliance is authorized
24 to procure supplies, professional services and contractual services,
25 including but not limited to, children and youth services pursuant
26 to the single-source award provisions contained in Section 126.206
27 (Single-source, noncompetitive purchases) and Section 126.312
28 (Single-source noncompetitive purchase of professional services),
29 Chapter 126 (Procurement Code), *Ordinance Code*, as needed. All such
30 services procured by Kids Hope Alliance pursuant to Sections 126.206
31 and 126.312, *Ordinance Code*, shall be consistent with the purposes

1 of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and awarded in
2 accordance with Chapter 126, *Ordinance Code*.

3 **Section 5. Authorization to Procure Services Pursuant to**
4 **the Competitive Solicitation Exemptions Contained in Section 126.107,**
5 **Ordinance Code.** Kids Hope Alliance is authorized to procure supplies,
6 professional services and contractual services, including but not
7 limited to, children and youth services pursuant to the competitive
8 solicitation exemptions listed in Section 126.107 (Exemptions), Part
9 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
10 *Code*, as needed. All such services procured by Kids Hope Alliance
11 pursuant to Section 126.107, *Ordinance Code*, shall be consistent with
12 the purposes of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and
13 awarded in accordance with Chapter 126, *Ordinance Code*.

14 **Section 6. Waiving Section 77.111(a), Ordinance Code.** The
15 City hereby waives the provisions in Section 77.111(a) (Provider
16 Contracts), Chapter 77 (Kids Hope Alliance), *Ordinance Code*, with
17 respect to the authorizations described in Sections 3 through 5 above
18 and Section 8 below. Section 77.111(a) requires contracts for
19 children's services to be competitively procured by Kids Hope Alliance
20 via an evaluated bid process. This waiver is necessary to allow Kids
21 Hope Alliance to: (i) enter into direct contracts with the entities
22 described in Section 3 above and Section 8 below; (ii) procure
23 supplies, professional services and contractual services, including
24 but not limited to, children and youth services pursuant to the
25 single-source award provisions contained in Sections 126.206 and
26 126.312, *Ordinance Code*, as needed, as described in Section 4 above;
27 and (iii) procure supplies, professional services and contractual
28 services, including but not limited to, children and youth services
29 pursuant to the competitive solicitation exemptions contained in
30 Section 126.107, *Ordinance Code*, as needed, as described in Section
31 5 above.

1 **Section 7. Waiving Section 77.113 and Section 106.304,**
2 **Ordinance Code.** Section 77.113 (Annual operating budget; budget
3 transfers), Chapter 77 (Kids Hope Alliance), *Ordinance Code*,
4 regarding the Kids Hope Alliance budget transfer authority, and
5 Section 106.304 (Mayor's transfer power), Subpart A (General
6 Provisions), Part 3 (Appropriations), Chapter 106 (Budget and
7 Accounting Code), *Ordinance Code*, regarding the Mayor's transfer
8 authority, are hereby waived. The provisions for Kids Hope Alliance
9 budget transfers are permitted by compliance with Section 2(b) of
10 this Ordinance.

11 **Section 8. Approval and Authorization to Execute Grant**
12 **Agreements and Invoking the Exemption in Section 126.107(g),**
13 **Ordinance Code.**

14 (a) **Approval and authorization to execute grant agreements.** The
15 Mayor, or her designee, and the Corporation Secretary and/or
16 Chief Executive Officer of the Kids Hope Alliance ("CEO") are
17 hereby authorized to negotiate and execute grant agreements and
18 to disburse grant funds to the following entities, in the not-
19 to-exceed amounts outlined below, and for the programs described
20 herein as follows: (1) \$150,000 to the Police Athletic League
21 of Jacksonville, Incorporated for its Teen Leadership Program
22 as described in **Exhibit 3**, attached hereto; (2) \$150,000 to
23 Operation Save Our Sons, Inc. for the Operation Save Our Sons
24 Program as described in **Exhibit 4**, attached hereto; (3) \$125,000
25 to Northeast Florida Healthy Start Coalition, Inc. for the Safe
26 Sleep Initiative as described in **Exhibit 5**, attached hereto; (4)
27 \$75,000 to My Village Project, Inc. for Project Daily Attendance
28 as described in **Exhibit 6**, attached hereto; (5) \$50,000 to Alpha
29 Phi Alpha Fraternity, Inc. - Upsilon Lambda Chapter for Youth
30 Development Programs as described in **Exhibit 7**, attached hereto;
31 and (6) \$75,000 to The Giving Closet Project, Inc. for its

1 Essential Angels Program as described in **Exhibit 8**, attached
2 hereto. These grants shall be subject to and administered in
3 accordance with Chapter 77, *Ordinance Code*, and the terms, scope
4 and conditions more fully described in the above-enumerated
5 Exhibits and the grant agreements entered into between the City
6 and/or KHA and the respective recipient agencies.

7 (b) **Invoking the exemption in Section 126.107(g), Ordinance Code.**

8 The City and/or KHA are authorized to enter into grant agreements
9 with the entities listed in Section 8(a) above for the services
10 outlined in the Exhibit attached hereto for each respective
11 recipient. Pursuant to Section 126.107(g), *Ordinance Code*, such
12 procurement is exempted from competitive solicitation. With the
13 exception of the foregoing, all other provisions of Chapter 126,
14 *Ordinance Code*, shall remain in full force and effect.

15 **Section 9. Office of General Counsel and Council Auditor's**
16 **Office Authorization.** The Office of General Counsel and the Council
17 Auditor's Office are hereby authorized to make all changes to titles,
18 tables of content, *Ordinance Code*, journal entries, schedules,
19 attachments, editorial and text changes consistent with the changes
20 set forth herein to Ordinance 2023-504 and Ordinance 2023-511 to
21 effectuate the Council's action.

22 **Section 10. Effective Date.** This Ordinance shall
23 become effective upon signature by the Mayor or upon becoming
24 effective without the Mayor's signature.

25
26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Mary E. Staffopoulos