

1 Introduced by Council Member Newby and Co-Sponsored by Council
2 Members Salem, Priestly Jackson, DeFoor, White, Carlucci and
3 Boylan:

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6 **ORDINANCE 2021-23**

7 AN ORDINANCE APPROPRIATING \$200,000 FROM THE
8 SOCIAL JUSTICE AND COMMUNITY INVESTMENT
9 SPECIAL COMMITTEE CONTINGENCY FOR THE
10 OPERATION BOOST! PROGRAM (\$100,000 TO
11 WORKFORCE INDUSTRIAL TRAINING, LLC ("WIT") AND
12 \$100,000 TO FLORIDA STATE COLLEGE AT
13 JACKSONVILLE ("FSCJ")); APPROVING, AND
14 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
15 CORPORATION SECRETARY TO EXECUTE AND DELIVER,
16 AN AGREEMENT BETWEEN THE CITY OF JACKSONVILLE
17 AND WORKFORCE INDUSTRIAL TRAINING, LLC;
18 INVOKING THE EXCEPTION IN SECTION 126.107(G),
19 *ORDINANCE CODE*, TO ALLOW DIRECT CONTRACT WITH
20 WORKFORCE INDUSTRIAL TRAINING, LLC TO PROVIDE
21 THE SERVICES FOR OPERATION BOOST!; APPROVING,
22 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE,
23 AND CORPORATION SECRETARY TO EXECUTE AND
24 DELIVER, AN AGREEMENT BETWEEN THE CITY OF
25 JACKSONVILLE AND FLORIDA STATE COLLEGE AT
26 JACKSONVILLE; INVOKING THE EXCEPTION IN
27 SECTION 126.107(G), *ORDINANCE CODE*, TO ALLOW
28 DIRECT CONTRACT WITH FLORIDA STATE COLLEGE AT
29 JACKSONVILLE TO PROVIDE SERVICES FOR
30 OPERATION BOOST!; WAIVING SECTION 110.112
31 (ADVANCE OF CITY FUNDS; PROHIBITION AGAINST),

1 PART 1 (THE CITY TREASURY), CHAPTER 110 (CITY
2 TREASURY), ORDINANCE CODE, TO ALLOW FOR A
3 PARTIAL ADVANCE PAYMENT BY THE CITY; PROVIDING
4 FOR OVERSIGHT BY THE OFFICE OF GRANTS AND
5 CONTRACT COMPLIANCE; PROVIDING AN EFFECTIVE
6 DATE.

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

9 **Section 1. Appropriation.** For the 2020-2021 fiscal year,
10 within the City's budget, there are hereby appropriated the
11 indicated sum(s) from the account(s) listed in subsection (a) to
12 the account(s) listed in subsection (b):

13 (The account information is attached hereto as **Exhibit 1**, and
14 incorporated herein by this reference)

15 (a) Appropriated from:

16 See attached **Exhibit 1** \$200,000

17 (b) Appropriated to:

18 See attached **Exhibit 1** \$200,000

19 (c) **Explanation of Appropriation** - The funding above is being
20 appropriated from the Social Justice and Community
21 Investment Special Committee Contingency and to be
22 utilized by WIT and FSCJ for the Operation Boost!
23 program.

24 **Section 2. Purpose.** The purpose of the appropriation in
25 Section 1 is to provide funding for the Operation Boost! program,
26 as more fully described in **Exhibit 2** attached hereto. The Operation
27 Boost! program will provide recruitment, training and employment
28 assistance to low-income students and students who face barriers to
29 employment. \$100,000 in funding will be used by WIT to provide cost
30 free training to 50 students who face barriers to employment and
31 recidivism. \$100,000 in funding will be used by FSCJ to create one

1 hundred \$750 scholarships for low-income students (\$75,000) and to
2 create a Student Emergency Assistance Fund for low-income students
3 (\$25,000).

4 **Section 3. Agreement approved and execution authorized.**

5 There is hereby approved, and the Mayor, or his designee, and
6 Corporation Secretary are hereby authorized to execute and deliver,
7 the Funding Agreement between the City of Jacksonville and
8 Workforce Industrial Training, LLC, in substantially the form as
9 attached hereto as **Exhibit 3**, and incorporated herein by this
10 reference (the "Agreement"). The Agreement may include such
11 additions, deletions and changes as may be reasonable, necessary
12 and incidental for carrying out the purposes thereof, as may be
13 acceptable to the Mayor, or his designee, with such inclusion and
14 acceptance being evidenced by execution of the Agreement by the
15 Mayor, or his designee; provided however, no modification to the
16 Agreement may increase the financial obligations or liability of
17 the City to an amount in excess of the amount stated in the
18 Agreement or decrease the duties and obligations of the Workforce
19 Industrial Training, LLC as stated in the Agreement, and any such
20 modification shall be technical only and shall be subject to
21 appropriate legal review and approval by the Office of General
22 Counsel. For the purposes of this Ordinance, the term "technical
23 changes" is defined as those changes having no financial impact to
24 the City and any other non-substantive changes that do not
25 substantively increase the duties and responsibilities of the City
26 under the provisions of the Agreement.

27 **Section 4. Invoking the exception to Section 126.107(g),**
28 **Ordinance Code.** The City is hereby authorized to procure the use of
29 the professional services of Workforce Industrial Training, LLC, to
30 provide services for the Operation Boost! program. Pursuant to
31 Section 126.107(g) (Exemptions), Part 1 (General Regulations),

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

7 **Section 5. Agreement approved and execution authorized.**

8 There is hereby approved, and the Mayor, or his designee, and
9 Corporation Secretary are hereby authorized to execute and deliver,
10 the Funding Agreement between the City of Jacksonville and Florida
11 State College at Jacksonville, in substantially the form as
12 attached hereto as **Exhibit 4**, and incorporated herein by this
13 reference (the "Agreement") to provide services for the Operation
14 Boost! program. The Agreement may include such additions, deletions
15 and changes as may be reasonable, necessary and incidental for
16 carrying out the purposes thereof, as may be acceptable to the
17 Mayor, or his designee, with such inclusion and acceptance being
18 evidenced by execution of the Agreement by the Mayor, or his
19 designee; provided however, no modification to the Agreement may
20 increase the financial obligations or liability of the City to an
21 amount in excess of the amount stated in the Agreement or decrease
22 the duties and obligations of Florida State College of Jacksonville
23 as stated in the Agreement, and any such modification shall be
24 technical only and shall be subject to appropriate legal review and
25 approval by the Office of General Counsel. For the purposes of this
26 Ordinance, the term "technical changes" is defined as those changes
27 having no financial impact to the City and any other non-
28 substantive changes that do not substantively increase the duties
29 and responsibilities of the City under the provisions of the
30 Agreement.

31 **Section 6. Invoking the exception to Section 126.107(g),**

1 **Ordinance Code.** The City is hereby authorized to procure the use of
2 the professional services of Florida State College of Jacksonville
3 to provide services for the Operation Boost! program. Pursuant to
4 Section 126.107(g) (Exemptions), Part 1 (General Regulations),
5 Chapter 126 (Procurement Code), *Ordinance Code*, such procurement is
6 exempted from competitive solicitation because the supplies or
7 services are to be provided by those specifically prescribed within
8 authorizing legislation that appropriates the same. With the
9 exception of the foregoing, all other provisions of Chapter 126,
10 *Ordinance Code*, shall remain in full force and effect.

11 **Section 5. Waiving Section 110.112, Ordinance Code.**
12 Section 110.112 (Advance of City funds; prohibition against), Part
13 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
14 is hereby waived to allow for a partial advance payment as
15 described in the Agreements.

16 **Section 7. Oversight.** The Mayor is requested to appoint
17 the Office of Grants and Contract Compliance to oversee the project
18 in Section 2 above and to ensure compliance with all other
19 appropriate laws.

20 **Section 8. Effective Date.** This Ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

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24 Form Approved:

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26 /s/ Margaret M. Sidman

27 Office of General Counsel

28 Legislation prepared by: Margaret M. Sidman

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