

1 Introduced by Council President Salem:  
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4 **ORDINANCE 2023-511**

5 AN ORDINANCE APPROPRIATING \$46,968,032 FROM  
6 SPECIAL COUNCIL CONTINGENCY - KHA TO THE KIDS  
7 HOPE ALLIANCE (KHA); PROVIDING FOR THE KIDS HOPE  
8 ALLIANCE COMPREHENSIVE BUDGET TRANSFER POWERS;  
9 APPROVING AND AUTHORIZING EXECUTION OF  
10 AGREEMENTS BY THE MAYOR, OR HER DESIGNEE, AND  
11 THE CORPORATION SECRETARY WITH NAMED GRANT  
12 RECIPIENTS; APPROVAL AND AUTHORIZATION TO  
13 EXECUTE AGREEMENTS WITH NAMED GRANT RECIPIENTS  
14 AND INVOKING THE EXEMPTION IN SECTION  
15 126.107(G), *ORDINANCE CODE*; AUTHORIZING THE  
16 PROCUREMENT OF SERVICES PURSUANT TO SINGLE-  
17 SOURCE AWARD PROVISIONS CONTAINED IN SECTIONS  
18 126.206 (SINGLE-SOURCE, NONCOMPETITIVE  
19 PURCHASES) AND 126.312 (SINGLE-SOURCE  
20 NONCOMPETITIVE PURCHASE OF PROFESSIONAL  
21 SERVICES), CHAPTER 126 (PROCUREMENT CODE),  
22 *ORDINANCE CODE*; AUTHORIZING THE PROCUREMENT OF  
23 SERVICES PURSUANT TO THE COMPETITIVE  
24 SOLICITATION EXEMPTIONS LISTED IN SECTION  
25 126.107 (EXEMPTIONS), PART 1 (GENERAL  
26 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),  
27 *ORDINANCE CODE*; WAIVING SECTION 77.111(A)  
28 (PROVIDER CONTRACTS), CHAPTER 77 (KIDS HOPE  
29 ALLIANCE), *ORDINANCE CODE*; WAIVING SECTION  
30 77.113 (ANNUAL OPERATING BUDGET; BUDGET  
31 TRANSFERS), CHAPTER 77 (KIDS HOPE ALLIANCE),

1           *ORDINANCE CODE*, AND SECTION 106.304 (MAYOR'S  
2           TRANSFER POWER), CHAPTER 106 (BUDGET AND  
3           ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW FOR  
4           BUDGET TRANSFERS WITHIN THE PLAN; AUTHORIZING  
5           THE OFFICE OF GENERAL COUNSEL AND THE COUNCIL  
6           AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY  
7           TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN  
8           EFFECTIVE DATE.

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

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

15         (Account information is attached hereto as **Exhibit 1** and incorporated  
16         herein by this reference)

17                 (a) Appropriated from:

18                         See **Exhibit 1**                                 \$46,968,032

19                 (b) Appropriated to:

20                         See **Exhibit 1**                                 \$46,968,032

21                 (c) Explanation of Appropriation: The funding above is an  
22                         appropriation of \$46,968,032 from Special Council  
23                         Contingency - KHA to the Kids Hope Alliance for  
24                         subsidies and contributions to private organizations.

25         **Section 2.         Kids Hope Alliance Comprehensive Budget**  
26         **Approved; Grant and Budget Transfers Authorized.** The Kids Hope  
27         Alliance Fiscal Year 2023-2024 budget of \$46,968,032 for subsidies  
28         and contributions to private organizations comprised of federal,  
29         state, City and private funding, is herein appropriated as provided  
30         on **Exhibit 1**. Kids Hope Alliance is authorized to receive grants and  
31         make budget transfers in the manner described below:

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

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

27           **Section 3.           Approval and Authorization to Execute Agreements**  
28 **With Named Grant Recipients and Invoking the Exemption in Section**  
29 **126.107(g), Ordinance Code.** Subject to the authorization terms in  
30 Grant Agreements, the Mayor, or her designee, and the Corporation  
31 Secretary and/or the Chief Executive Officer of the Kids Hope Alliance

1 ("CEO") are hereby authorized to contract directly with the entities  
2 listed in the grant awards for grants received from the Department  
3 of Health & Human Services (SAMHSA) and the Department of Justice -  
4 Comprehensive Anti-Gang Program for Youth grant, as shown in **Schedule**  
5 **M** attached hereto as **Exhibit 2** and incorporated herein by this  
6 reference, and to extend or renew such contracts to the extent that  
7 the underlying grant is extended or renewed. Pursuant to Section  
8 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126  
9 (Procurement Code), *Ordinance Code*, such services are exempted from  
10 competitive solicitation because the services to be provided are  
11 being approved pursuant to this Ordinance.

12 **Section 4. Authorization to Procure Services Pursuant to**  
13 **the Single-Source Award Provisions Contained in Section 126.206 and**  
14 **Section 126.312, Ordinance Code.** Kids Hope Alliance is authorized  
15 to procure supplies, professional services and contractual services,  
16 including but not limited to, children and youth services pursuant  
17 to the single-source award provisions contained in Section 126.206  
18 (Single-source, noncompetitive purchases) and Section 126.312  
19 (Single-source noncompetitive purchase of professional services),  
20 Chapter 126 (Procurement Code), *Ordinance Code*, as needed. All such  
21 services procured by Kids Hope Alliance pursuant to Sections 126.206  
22 and 126.312, *Ordinance Code*, shall be consistent with the purposes  
23 of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and awarded in  
24 accordance with Chapter 126, *Ordinance Code*.

25 **Section 5. Authorization to Procure Services Pursuant to**  
26 **the Competitive Solicitation Exemptions Contained in Section 126.107,**  
27 **Ordinance Code.** Kids Hope Alliance is authorized to procure supplies,  
28 professional services and contractual services, including but not  
29 limited to, children and youth services pursuant to the competitive  
30 solicitation exemptions listed in Section 126.107 (Exemptions), Part  
31 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*

1 Code, as needed. All such services procured by Kids Hope Alliance  
2 pursuant to Section 126.107, *Ordinance Code*, shall be consistent with  
3 the purposes of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and  
4 awarded in accordance with Chapter 126, *Ordinance Code*.

5 **Section 6. Waiving Section 77.111(a), Ordinance Code.** The  
6 City hereby waives the provisions in Section 77.111(a) (Provider  
7 Contracts), Chapter 77 (Kids Hope Alliance), *Ordinance Code*, with  
8 respect to the authorizations described in Sections 3 through 5 above.  
9 Section 77.111(a) requires contracts for children's services to be  
10 competitively procured by Kids Hope Alliance via an evaluated bid  
11 process. This waiver is necessary to allow Kids Hope Alliance to:  
12 (i) enter into direct contracts with the entities described in Section  
13 3 above; (ii) procure supplies, professional services and contractual  
14 services, including but not limited to, children and youth services  
15 pursuant to the single-source award provisions contained in Sections  
16 126.206 and 126.312, *Ordinance Code*, as needed, as described in  
17 Section 4 above; and (iii) procure supplies, professional services  
18 and contractual services, including but not limited to, children and  
19 youth services pursuant to the competitive solicitation exemptions  
20 contained in Section 126.107, *Ordinance Code*, as needed, as described  
21 in Section 5 above.

22 **Section 7. Waiving Section 77.113 and Section 106.304,**  
23 **Ordinance Code.** Section 77.113 (Annual operating budget; budget  
24 transfers), Chapter 77 (Kids Hope Alliance), *Ordinance Code*,  
25 regarding the Kids Hope Alliance budget transfer authority, and  
26 Section 106.304 (Mayor's transfer power), Subpart A (General  
27 Provisions), Part 3 (Appropriations), Chapter 106 (Budget and  
28 Accounting Code), *Ordinance Code*, regarding the Mayor's transfer  
29 authority, are hereby waived. The provisions for Kids Hope Alliance  
30 budget transfers are permitted by compliance with Section 2(b) of  
31 this Ordinance.

1           **Section 8.           Office of General Counsel and Council Auditor's**  
2 **Office Authorization.** The Office of General Counsel and the Council  
3 Auditor's Office are hereby authorized to make all changes to titles,  
4 tables of content, Ordinance Code, journal entries, schedules,  
5 attachments, editorial and text changes consistent with the changes  
6 set forth herein to Ordinance 2023-504 and Ordinance 2023-511 to  
7 effectuate the Council's action.

8           **Section 9.           Effective Date.** This Ordinance shall become  
9 effective upon signature by the Mayor or upon becoming effective  
10 without the Mayor's signature.

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12 Form Approved:

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14           /s/ Mary E. Staffopoulos          

15 Office of General Counsel

16 Legislation Prepared By: Mary E. Staffopoulos

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