

1 Introduced by Council Member Salem:
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4 **ORDINANCE 2021-322**

5 AN ORDINANCE APPROPRIATING \$100,974 FROM THE
6 SOCIAL JUSTICE AND COMMUNITY INVESTMENT
7 SPECIAL COMMITTEE CONTINGENCY FOR THE 5000
8 ROLE MODELS OF EXCELLENCE PROJECT; AMENDING
9 THIRD REVISED SCHEDULE M TO ORDINANCE 2020-
10 511-E; APPROVING, AND AUTHORIZING THE MAYOR,
11 OR HIS DESIGNEE, AND CORPORATION SECRETARY TO
12 EXECUTE AND DELIVER, AN AGREEMENT BETWEEN THE
13 CITY OF JACKSONVILLE AND JACKSONVILLE PUBLIC
14 EDUCATION FUND, INC. ("JPEF"); INVOKING THE
15 EXCEPTION IN SECTION 126.107(G), *ORDINANCE*
16 *CODE*, TO ALLOW DIRECT CONTRACT WITH
17 JACKSONVILLE PUBLIC EDUCATION FUND, INC. TO
18 PROVIDE THE SERVICES FOR THE 5000 ROLE MODELS
19 OF EXCELLENCE PROJECT; WAIVING THE
20 REQUIREMENTS OF CHAPTER 77 (KIDS HOPE
21 ALLIANCE), SECTION 77.111(A) (PROVIDER
22 CONTRACTS), *ORDINANCE CODE*, TO EXEMPT THE
23 SERVICES TO BE PROVIDED BY JACKSONVILLE
24 PUBLIC EDUCATION FUND, INC. FROM COMPETITIVE
25 PROCUREMENT; WAIVING SECTION 110.112 (ADVANCE
26 OF CITY FUNDS; PROHIBITION AGAINST), PART 1
27 (THE CITY TREASURY), CHAPTER 110 (CITY
28 TREASURY), *ORDINANCE CODE*, TO ALLOW FOR A
29 PARTIAL ADVANCE PAYMENT BY THE CITY; PROVIDING
30 FOR OVERSIGHT BY THE KIDS HOPE ALLIANCE;
31 PROVIDING AN EFFECTIVE DATE.

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

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

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

9 (a) Appropriated from:

10 See attached **Exhibit 1** \$100,974

11 (b) Appropriated to:

12 See attached **Exhibit 1** \$100,974

13 (c) **Explanation of Appropriation** - The funding above is being
14 appropriated from the Social Justice and Community
15 Investment Special Committee Contingency and to be
16 utilized by the Jacksonville Public Education Fund, Inc.
17 for the 5000 Role Models of Excellence project.

18 **Section 2. Purpose.** The purpose of the appropriation in
19 Section 1 is to provide funding for the 5000 Role Models of
20 Excellence project, as more fully described in **Exhibit 2** attached
21 hereto. The 5000 Role Models of Excellence project seeks to provide
22 a sense of hope to young minority male students by offering
23 positive visions of success to serve as a blueprint for emulation
24 through mentorship and exposure. The project is committed to
25 connecting students of promise to positive adult role models whose
26 successes can inspire them to achieve.

27 **Section 3. Amending Third Revised Schedule M to Ordinance**
28 **2020-511-E.** There is hereby amended for the fiscal year 2020-2021
29 budget for the Kids Hope Alliance by substituting in the place of
30 Third Revised Schedule M, approved by Ordinance 2020-511-E, the
31 Fourth Revised Schedule M, attached hereto as **Exhibit 3** and

1 incorporated herein by this reference. The Fourth Revised Schedule
2 M will reflect additional transfers and funds appropriated herein.

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

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

26 **Section 5. Invoking the exception to Section 126.107(g),**
27 **Ordinance Code.** The City is hereby authorized to procure the use of
28 the professional services of Jacksonville Public Education Fund,
29 Inc., to provide services for the 5000 Role Models of Excellence
30 project. Pursuant to Section 126.107(g) (Exemptions), Part 1
31 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*

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

7 **Section 6. Waiving the requirements of Chapter 77 (Kids**
8 **Hope Alliance), Section 77.111(a) (Provider Contracts), Ordinance**
9 **Code.** The City hereby waives the requirements of Chapter 77 (Kids
10 Hope Alliance), Section 77.111(a) (Provider Contracts), *Ordinance*
11 *Code*, with respect to the contract approved and authorized under
12 Section 3 of this Ordinance. Section 77.111(a) requires contracts
13 for children's services to be competitively procured by KHA via an
14 evaluated bid process. This waiver is needed because Jacksonville
15 Public Education Fund, Inc. is the sole provider for the 5000 Role
16 Models of Excellence project in Duval County.

17 **Section 7. Waiving Section 110.112, Ordinance Code.**
18 Section 110.112 (Advance of City funds; prohibition against), Part
19 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
20 is hereby waived to allow for a partial advance payment as
21 described in the Agreements.

22 **Section 8. Oversight.** KHA will oversee the project and
23 services described in Section 2 above and will ensure compliance
24 with all other appropriate laws.

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

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29 Form Approved:

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31 /s/ Margaret M. Sidman

1 Office of General Counsel
2 Legislation prepared by: Margaret M. Sidman
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