

1 Introduced by Council President Hazouri and Substituted by the
2 Finance Committee:

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5 **ORDINANCE 2020-511-E**

6 AN ORDINANCE APPROPRIATING \$28,844,956 FROM
7 SPECIAL COUNCIL CONTINGENCY - KHA TO THE KIDS
8 HOPE ALLIANCE (KHA); PROVIDING FOR THE KIDS
9 HOPE ALLIANCE BOARD COMPREHENSIVE BUDGET
10 TRANSFER POWERS; PROVIDING FOR WAIVER OF
11 SECTION 77.113 (ANNUAL OPERATING BUDGET;
12 BUDGET TRANSFERS), CHAPTER 77 (KIDS HOPE
13 ALLIANCE), *ORDINANCE CODE*, AND SECTION 106.304
14 (MAYOR'S TRANSFER POWER), CHAPTER 106 (BUDGET
15 AND ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW
16 FOR BUDGET TRANSFERS WITHIN THE PLAN;
17 APPROVING AND AUTHORIZING EXECUTION OF
18 DOCUMENTS BY THE MAYOR OR HIS DESIGNEE AND
19 CORPORATION SECRETARY; AUTHORIZING APPROVAL OF
20 TECHNICAL AMENDMENTS BY THE CHIEF EXECUTIVE
21 OFFICER OF THE KHA; AUTHORIZING THE OFFICE OF
22 GENERAL COUNSEL AND THE COUNCIL AUDITOR'S
23 OFFICE TO MAKE ALL CHANGES NECESSARY TO
24 EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN
25 EFFECTIVE DATE.

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

28 **Section 1. Appropriation.** For the 2020-2021 fiscal year,
29 within the City's budget, there are hereby appropriated the
30 indicated sum(s) from the account(s) listed in subsection (a) to

1 the account(s) listed in subsection (b):

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

4 (a) Appropriated from:

5 See **Exhibit 1** \$28,844,956

6 (b) Appropriated to:

7 See **Exhibit 1** \$28,844,956

8 (c) **Explanation of Appropriation:** the appropriation
9 above is appropriating \$28,844,956 from Special
10 Council Contingency - KHA to the Kids Hope Alliance
11 for subsidies and contributions to private
12 organizations.

13 **Section 2. Kids Hope Alliance Board Comprehensive Budget**

14 **Transfer Powers.** The Kids Hope Alliance Board fiscal year 2020-
15 2021 budget of \$28,844,956 for subsidies and contributions to
16 private organizations comprised of federal, state, City and private
17 funding, is herein appropriated as provided below:

18 (a) **Grants Received by Kids Hope Alliance.** The Kids Hope
19 Alliance is authorized and directed to follow the grant approval
20 process as outlined in Section 1.3 (e)(1)&(2) in the City Budget
21 Ordinance, 2020-504-E.

22 (b) **Kids Hope Alliance Board transfer authority within the**
23 **Plan.** The Kids Hope Alliance Board is authorized to transfer,
24 through a transfer directive approved by the Mayor's Budget Review
25 Committee, (i) appropriations within each of the Essential Services
26 Plan Categories; and (ii) appropriations between Essential Services
27 Plan Categories, provided that cumulative transfers out of an
28 Essential Service Category do not exceed 25% of the individual
29 Essential Services Category budget from which the funds are being
30 transferred. Any transfer out of an Essential Services Category
31 that results in more than 25% of an individual Essential Services

1 Category budget being transferred out shall require City Council
2 approval. In addition to the transfer authority provided in the
3 preceding sentences of this subsection (b), the Kids Hope Alliance
4 Board is authorized to transfer to any Essential Services Category,
5 through a transfer directive approved by the Mayor's Budget Review
6 Committee, excess funds remaining after completion of a contract
7 for children's services. Such transfers of excess funds shall not
8 be included in the calculation of, and shall not be subject to, the
9 25% limitation provided in this section (b). There shall be
10 provided to the Council Auditor, the Council Finance Committee, and
11 the Mayor's Budget Review Committee at the end of each month a
12 report detailing all transfers made during that month.

13 **(c) Approval and Authorization to execute agreements and**
14 **Invoking the exception to Section 126.107(g), Ordinance Code, for**
15 **named Grant Recipients.** Subject to the authorization terms in
16 Grant Agreements, the Mayor, or his designee, and the Corporation
17 Secretary and/or the Chief Executive Officer of the Kids Hope
18 Alliance ("CEO") are hereby authorized to contract directly with
19 the entities listed in the grant awards for the following grants
20 received: Department of Health & Human Services (SAMHSA) - Grant;
21 and Criminal Justice Reinvestment Grant, as shown in Schedule M
22 attached hereto as **Revised Exhibit 2** and incorporated herein by
23 this reference. Pursuant to Section 126.107(g) (Exemptions), Part 1
24 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
25 *Code*, such services are exempted from competitive solicitation
26 because the services to be provided are being approved via
27 authorizing legislation pursuant to this ordinance.

28 **(d) Approval and authorization to execute extensions of**
29 **agreements and invoking the exception to Section 126.107(g),**
30 **Ordinance Code, for Full Service School Providers.** The Kids Hope
31 Alliance is hereby authorized to continue to procure children's

1 services for Full Service Schools from Jewish Family & Community
2 Services, Inc., Children's Home Society of Florida, Inc., Child
3 Guidance Center, Inc., and Daniel Memorial, Inc. for a period of
4 nine months beginning October 1, 2020. The amount appropriated to
5 each of the four existing Full Service Schools providers for such
6 services is shown in Schedule M attached hereto as **Revised Exhibit**
7 **2** and incorporated herein by this reference. The Mayor, or his
8 designee, the Corporation Secretary, and/or the Chief Executive
9 Officer of the Kids Hope Alliance ("CEO") are hereby authorized to
10 execute contract extensions with Jewish Family & Community
11 Services, Inc., Children's Home Society of Florida, Inc., Child
12 Guidance Center, Inc., and Daniel Memorial, Inc., for a nine-month
13 period beginning October 1, 2020, and subject to the same terms and
14 conditions of the existing contracts. Pursuant to Section
15 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
16 (Procurement Code), *Ordinance Code*, such services are exempted from
17 competitive solicitation because the services to be provided are
18 being approved via authorizing legislation pursuant to this
19 ordinance.

20 **(e) Approval and authorization to execute a direct contract**
21 **with United Way of Northeast Florida, Inc. for Full Service Schools**
22 **Programming; Invoking the exception to Section 126.107(g),**
23 **Ordinance Code.** The Kids Hope Alliance is hereby authorized to
24 procure children's services for Full Service Schools special needs
25 programming from United Way of Northeast Florida, Inc. beginning
26 July 1, 2021. The amount appropriated for such services is shown
27 in Schedule M attached hereto as **Revised Exhibit 2** and incorporated
28 herein by this reference. The Mayor, or his designee, the
29 Corporation Secretary, and/or the Chief Executive Officer of the
30 Kids Hope Alliance ("CEO") are hereby authorized to execute a
31 contract with the United Way of Northeast Florida, Inc. for full

1 service schools special needs children's services programming in
2 the contract amount of \$3,403,000 for a one-year period beginning
3 July 1, 2021, with the option to renew for two additional one-year
4 periods in the sole discretion of the Kids Hope Alliance. Pursuant
5 to Section 126.107(g) (Exemptions), Part 1 (General Regulations),
6 Chapter 126 (Procurement Code), *Ordinance Code*, such services are
7 exempted from competitive solicitation because the services to be
8 provided are being approved via authorizing legislation pursuant to
9 this ordinance.

10 **(f) Approval and authorization to execute a direct contract**
11 **with Early Learning Coalition of Duval, Inc. for Early Learning**
12 **Programming; Invoking the exception to Section 126.107(g),**
13 **Ordinance Code.** The Kids Hope Alliance is hereby authorized to
14 procure children's services for early learning programming from
15 Early Learning Coalition of Duval, Inc. The amount appropriated for
16 such services is shown in Schedule M attached hereto as **Revised**
17 **Exhibit 2** and incorporated herein by this reference. Pursuant to
18 Section 126.107(g) (Exemptions), Part 1 (General Regulations),
19 Chapter 126 (Procurement Code), *Ordinance Code*, such services are
20 exempted from competitive solicitation because the children's
21 services to be provided by the specified provider are being
22 appropriated and approved in this authorizing legislation. The
23 Mayor, or his designee, the Corporation Secretary, and/or the Chief
24 Executive Officer of the Kids Hope Alliance ("CEO") are hereby
25 authorized to execute a contract with Early Learning Coalition of
26 Duval, Inc. for early learning programming for a nine-month period
27 beginning October 1, 2020, with the option to renew for two
28 additional one-year periods in the sole discretion of the Kids Hope
29 Alliance.

30 **(g) Approval and authorization to execute a direct contract**
31 **with Goodwill Industries of North Florida, Inc. for leadership**

1 **development programming for the Mayor's Young Leaders Advisory**
2 **Council; Invoking the exception to Section 126.107(g), Ordinance**
3 **Code.** The Kids Hope Alliance is hereby authorized to procure
4 children's services for leadership development programming from
5 Goodwill Industries of North Florida, Inc. The amount appropriated
6 for such services is shown in Schedule M attached hereto as **Revised**
7 **Exhibit 2** and incorporated herein by this reference. Pursuant to
8 Section 126.107(g) (Exemptions), Part 1 (General Regulations),
9 Chapter 126 (Procurement Code), *Ordinance Code*, such services are
10 exempted from competitive solicitation because the children's
11 services to be provided by Goodwill Industries of North Florida,
12 Inc. are being appropriated and approved in this authorizing
13 legislation. The Mayor, or his designee, the Corporation Secretary,
14 and/or the Chief Executive Officer of the Kids Hope Alliance
15 ("CEO") are hereby authorized to execute a contract with Goodwill
16 Industries of North Florida, Inc. for such children's services
17 program for a ten-month period beginning October 1, 2020, with the
18 option to renew for two additional one-year periods in the sole
19 discretion of the Kids Hope Alliance.

20 **(h) Approval and authorization to execute a direct contract**
21 **with Angels for Allison for children's services for children's**
22 **burial cost reimbursement; Invoking the exception to Section**
23 **126.107(g), Ordinance Code.** The Kids Hope Alliance is hereby
24 authorized to procure children's services for children's burial
25 cost reimbursement from The Allison Brundick Haramis Foundation,
26 Inc., doing business as Angels for Allison ("Angels for Allison").
27 The amount appropriated for such services is shown in Schedule M
28 attached hereto as **Revised Exhibit 2** and incorporated herein by
29 this reference. Pursuant to Section 126.107(g) (Exemptions), Part 1
30 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
31 *Code*, such services are exempted from competitive solicitation

1 because the children's services to be provided by Angels for
2 Allison are being appropriated and approved in this authorizing
3 legislation. The Mayor, or his designee, the Corporation Secretary,
4 and/or the Chief Executive Officer of the Kids Hope Alliance
5 ("CEO") are hereby authorized to execute a contract with Angels for
6 Allison for such children's services program for a nine-month
7 period beginning October 1, 2020, with the option to renew for two
8 additional one-year periods in the sole discretion of the Kids Hope
9 Alliance.

10 **(i) Approval and authorization to execute a direct contract**
11 **with Northeast Florida Healthy Start Coalition, Inc. for special**
12 **needs children's services to reduce infant mortality; Invoking the**
13 **exception to Section 126.107(g), Ordinance Code.** The Kids Hope
14 Alliance is hereby authorized to procure special needs children's
15 services to reduce infant mortality from Northeast Florida Healthy
16 Start Coalition, Inc. The amount appropriated for such services is
17 shown in Schedule M attached hereto as **Revised Exhibit 2** and
18 incorporated herein by this reference. Pursuant to Section
19 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
20 (Procurement Code), *Ordinance Code*, such services are exempted from
21 competitive solicitation because the children's services to be
22 provided by Northeast Florida Healthy Start Coalition, Inc. are
23 being appropriated and approved in this authorizing legislation.
24 The Mayor, or his designee, the Corporation Secretary, and/or the
25 Chief Executive Officer of the Kids Hope Alliance ("CEO") are
26 hereby authorized to execute a contract with Northeast Florida
27 Healthy Start Coalition for such children's services program for a
28 one-year period beginning October 1, 2020, with the option to renew
29 for two additional one-year periods in the sole discretion of the
30 Kids Hope Alliance.

31 **(j) Waiver of the provisions in Chapter 77 (Kids Hope**

1 **Alliance), Section 77.111(a) (Provider Contracts).** The City hereby
2 waives the provisions in Chapter 77 (Kids Hope Alliance), Section
3 77.111(a) (Provider Contracts) with respect to the contracts
4 approved and authorized herein. Section 77.111(a) requires
5 contracts for children's services to be competitively procured by
6 Kids Hope Alliance via an evaluated bid process. The waiver is
7 needed in order to allow the Kids Hope Alliance to enter into
8 direct contracts with these providers because each provider is
9 uniquely qualified to provide the children's services programming
10 procured under the applicable contract.

11 **Section 3. Waiver of Section 77.113 (Annual operating**
12 **budget; budget transfers), Chapter 77 (Kids Hope Alliance),**
13 **Ordinance Code, and Section 106.304 (Mayor's Transfer Power),**
14 **Chapter 106 (Budget and Accounting Code), Ordinance Code.** Section
15 77.113 (Annual operating budget; budget transfers), *Ordinance Code*,
16 regarding the Kids Hope Alliance budget transfer authority and
17 Section 106.304 (Mayor's Transfer Power), Chapter 106 (Budget and
18 Accounting Code), *Ordinance Code*, regarding the Mayor's transfer
19 authority are hereby waived. The provisions for Kids Hope Alliance
20 budget transfers are permitted by compliance with Section 2(b)
21 herein of this ordinance.

22 **Section 4. Extensions and Renewals of Contracts.** With
23 the approval of the Kids Hope Alliance Board, the Mayor, or his
24 designee, the Corporation Secretary, and/or the Chief Executive
25 Officer of the Kids Hope Alliance ("CEO") are hereby authorized to
26 execute (i) amendments extending any of the contracts authorized
27 and approved in this Ordinance for a period of up to six months and
28 (ii) amendments exercising any existing renewal option under any of
29 the contracts authorized and approved in this Ordinance.

30 **Section 5. Further Authorizations.** The Mayor, or his designee,
31 and the Corporation Secretary, are hereby authorized to execute

1 Agreements and all other contracts and documents and otherwise take
2 all necessary action in connection therewith and herewith. The
3 Chief Executive Officer of the Kids Hope Alliance is authorized to
4 negotiate and execute all necessary changes and amendments to the
5 contracts approved and authorized in this Ordinance and other
6 contracts and documents, to effectuate the purposes of this
7 Ordinance, without further Council action, provided such changes
8 and amendments are limited to amendments that are technical in
9 nature, and further provided that all such amendments shall be
10 subject to appropriate legal review and approval by the General
11 Counsel, or his or her designee, and all other appropriate official
12 action required by law. "Technical" is herein defined as including,
13 but not limited to, changes in legal descriptions and surveys,
14 descriptions of infrastructure improvements and/or any road
15 project, ingress and egress, easements and rights of way,
16 performance schedules (provided that no performance schedule may be
17 extended for more than one year without Council approval) design
18 standards, access and site plan, which have no financial impact.

19 **Section 6. OGC and Council Auditor's Office**

20 **Authorization.** The Office of General Counsel and the Council
21 Auditor's Office are hereby authorized to make all changes to
22 titles, tables of content, Ordinance Code, journal entries,
23 schedules, attachments, editorial and text changes consistent with
24 the changes set forth herein to Ordinance 2020-504 and Ordinance
25 2020-511 to effectuate the Council's action.

26 **Section 7. Effective Date.** This ordinance shall become

27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

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30 Form Approved:

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/s/Margaret M. Sidman

Office of General Counsel

Legislation prepared by: Julia B. Davis

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