

1 The Finance Committee offers the following Substitute to File No.
2 2020-511:

3
4 Introduced by Council President Hazouri:
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7 **ORDINANCE 2020-511**

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

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

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

1 listed in subsection (b):

2 (Account information is attached hereto as **Exhibit 1** and incorporated
3 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 above
9 is appropriating \$28,844,956 from Special Council
10 Contingency - KHA to the Kids Hope Alliance for
11 subsidies and contributions to private organizations.

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

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

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

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

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

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

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

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

18 **(e) Approval and authorization to execute a direct contract**
19 **with United Way of Northeast Florida, Inc. for Full Service Schools**
20 **Programming; Invoking the exception to Section 126.107(g), *Ordinance***
21 ***Code*.** The Kids Hope Alliance is hereby authorized to procure
22 children's services for Full Service Schools special needs
23 programming from United Way of Northeast Florida, Inc. beginning July
24 1, 2021. The amount appropriated for such services is shown in
25 Schedule M attached hereto as **Revised Exhibit 2** and incorporated
26 herein by this reference. The Mayor, or his designee, the Corporation
27 Secretary, and/or the Chief Executive Officer of the Kids Hope
28 Alliance ("CEO") are hereby authorized to execute a contract with the
29 United Way of Northeast Florida, Inc. for full service schools special
30 needs children's services programming in the contract amount of
31 \$3,403,000 for a one-year period beginning July 1, 2021, with the

1 option to renew for two additional one-year periods in the sole
2 discretion of the Kids Hope Alliance. Pursuant to Section 126.107(g)
3 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
4 Code), *Ordinance Code*, such services are exempted from competitive
5 solicitation because the services to be provided are being approved
6 via authorizing legislation pursuant to this ordinance.

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

26 **(g) Approval and authorization to execute a direct contract with**
27 **Goodwill Industries of North Florida, Inc. for leadership development**
28 **programming for the Mayor's Young Leaders Advisory Council; Invoking**
29 **the exception to Section 126.107(g), *Ordinance Code*.** The Kids Hope
30 Alliance is hereby authorized to procure children's services for
31 leadership development programming from Goodwill Industries of North

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

15 **(h) Approval and authorization to execute a direct contract with**
16 **Angels for Allison for children's services for children's burial cost**
17 **reimbursement; Invoking the exception to Section 126.107(g),**
18 **Ordinance Code.** The Kids Hope Alliance is hereby authorized to
19 procure children's services for children's burial cost reimbursement
20 from The Allison Brundick Haramis Foundation, Inc., doing business
21 as Angels for Allison ("Angels for Allison"). The amount appropriated
22 for such services is shown in Schedule M attached hereto as **Revised**
23 **Exhibit 2** and incorporated herein by this reference. Pursuant to
24 Section 126.107(g) (Exemptions), Part 1 (General Regulations),
25 Chapter 126 (Procurement Code), *Ordinance Code*, such services are
26 exempted from competitive solicitation because the children's
27 services to be provided by Angels for Allison are being appropriated
28 and approved in this authorizing legislation. The Mayor, or his
29 designee, the Corporation Secretary, and/or the Chief Executive
30 Officer of the Kids Hope Alliance ("CEO") are hereby authorized to
31 execute a contract with Angels for Allison for such children's

1 services program for a nine-month period beginning October 1, 2020,
2 with the option to renew for two additional one-year periods in the
3 sole discretion of the Kids Hope Alliance.

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

24 **(j) Waiver of the provisions in Chapter 77 (Kids Hope Alliance),**
25 **Section 77.111(a) (Provider Contracts).** The City hereby waives the
26 provisions in Chapter 77 (Kids Hope Alliance), Section
27 77.111(a) (Provider Contracts) with respect to the contracts approved
28 and authorized herein. Section 77.111(a) requires contracts for
29 children's services to be competitively procured by Kids Hope Alliance
30 via an evaluated bid process. The waiver is needed in order to allow
31 the Kids Hope Alliance to enter into direct contracts with these

1 providers because each provider is uniquely qualified to provide the
2 children's services programming procured under the applicable
3 contract.

4 **Section 3. Waiver of Section 77.113 (Annual operating**
5 **budget; budget transfers), Chapter 77 (Kids Hope Alliance), Ordinance**
6 **Code, and Section 106.304 (Mayor's Transfer Power), Chapter 106**
7 **(Budget and Accounting Code), Ordinance Code.** Section 77.113 (Annual
8 operating budget; budget transfers), *Ordinance Code*, regarding the
9 Kids Hope Alliance budget transfer authority and Section 106.304
10 (Mayor's Transfer Power), Chapter 106 (Budget and Accounting Code),
11 *Ordinance Code*, regarding the Mayor's transfer authority are hereby
12 waived. The provisions for Kids Hope Alliance budget transfers are
13 permitted by compliance with Section 2(b) herein of this ordinance.

14 **Section 4. Extensions and Renewals of Contracts.** With the
15 approval of the Kids Hope Alliance Board, the Mayor, or his designee,
16 the Corporation Secretary, and/or the Chief Executive Officer of the
17 Kids Hope Alliance ("CEO") are hereby authorized to execute (i)
18 amendments extending any of the contracts authorized and approved in
19 this Ordinance for a period of up to six months and (ii) amendments
20 exercising any existing renewal option under any of the contracts
21 authorized and approved in this Ordinance.

22 **Section 5. Further Authorizations.** The Mayor, or his designee,
23 and the Corporation Secretary, are hereby authorized to execute
24 Agreements and all other contracts and documents and otherwise take
25 all necessary action in connection therewith and herewith. The Chief
26 Executive Officer of the Kids Hope Alliance is authorized to negotiate
27 and execute all necessary changes and amendments to the contracts
28 approved and authorized in this Ordinance and other contracts and
29 documents, to effectuate the purposes of this Ordinance, without
30 further Council action, provided such changes and amendments are
31 limited to amendments that are technical in nature, and further

1 provided that all such amendments shall be subject to appropriate
2 legal review and approval by the General Counsel, or his or her
3 designee, and all other appropriate official action required by law.
4 "Technical" is herein defined as including, but not limited to,
5 changes in legal descriptions and surveys, descriptions of
6 infrastructure improvements and/or any road project, ingress and
7 egress, easements and rights of way, performance schedules (provided
8 that no performance schedule may be extended for more than one year
9 without Council approval) design standards, access and site plan,
10 which have no financial impact.

11 **Section 6. OGC and Council Auditor's Office Authorization.**

12 The Office of General Counsel and the Council Auditor's Office are
13 hereby authorized to make all changes to titles, tables of content,
14 Ordinance Code, journal entries, schedules, attachments, editorial
15 and text changes consistent with the changes set forth herein to
16 Ordinance 2020-504 and Ordinance 2020-511 to effectuate the Council's
17 action.

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

19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ James R. McCain, Jr.

25 Office of General Counsel

26 Legislation prepared by: Julia B. Davis

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