

1 Introduced by Council Member Salem & Co-Sponsored by Council
2 Members Carrico, Freeman, Pittman, Gaffney, Hazouri, Morgan,
3 DeFoor, Carlucci, Priestly Jackson, Newby, White, and Boylan &
4 amended by the Neighborhoods, Community Services, Public Health and
5 Safety Committee:
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8 **ORDINANCE 2021-317-E**

9 AN ORDINANCE APPROPRIATING \$133,800 FROM THE
10 SOCIAL JUSTICE AND COMMUNITY INVESTMENT
11 SPECIAL COMMITTEE CONTINGENCY FOR THE MENTAL
12 HEALTH OFFENDER PROGRAM ("MHOP"); APPROVING,
13 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE,
14 AND CORPORATION SECRETARY TO EXECUTE AND
15 DELIVER, A FIRST AMENDMENT TO THE AGREEMENT
16 BETWEEN THE CITY OF JACKSONVILLE AND THE I.M.
17 SULZBACHER CENTER FOR THE HOMELESS, INC.
18 ("SULZBACHER CENTER"); INVOKING THE EXCEPTION
19 IN SECTION 126.107(G), *ORDINANCE CODE*, TO
20 ALLOW DIRECT CONTRACT WITH I.M. SULZBACHER
21 CENTER FOR THE HOMELESS, INC. TO PROVIDE
22 SERVICES TO THE MHOP AND MANAGE THE MHOP;
23 PROVIDING FOR A REVERTER PROVISION FOR
24 VEHICLE; PROVIDING FOR OVERSIGHT BY THE OFFICE
25 OF GRANTS AND CONTRACT COMPLIANCE; PROVIDING
26 AN EFFECTIVE DATE.

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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

1 indicated sum(s) from the account(s) listed in subsection (a) to
2 the account(s) listed in subsection (b):

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

5
6 (a) Appropriated from:

7 See attached **Exhibit 1** \$133,800

8 (b) Appropriated to:

9 See attached **Exhibit 1** \$133,800

10 (c) **Explanation of Appropriation** - The funding above is being
11 appropriated from the Social Justice and Community
12 Investment Special Committee Contingency to provide
13 additional funding for the Mental Health Offender
14 Program, a jail diversion program for mentally ill
15 misdemeanor offenders, and additional wrap around
16 services, including Housing, transportation, and
17 communication needs of the MHOP participants managed by
18 the Sulzbacher Center.

19 **Section 2. Purpose.** The purpose of the appropriation in
20 Section 1 is to provide additional funding for the Mental Health
21 Offender Program (MHOP), which is a jail diversion program for
22 mentally ill misdemeanor offenders, as more fully described in
23 **Revised Exhibit 2**, labeled as "Revised Exhibit 2, Rev Scope, June
24 14, 2021 - NCSPHS" attached hereto. The MHOP operational services
25 is managed by the Sulzbacher Center.

26 **Section 3. Agreement approved and execution authorized.**
27 There is hereby approved, and the Mayor, or his designee, and
28 Corporation Secretary are hereby authorized to execute and deliver,
29 the First Amendment to the Funding Agreement between the City of
30 Jacksonville and the I.M. Sulzbacher Center for the Homeless, Inc.,
31 in substantially the form as attached hereto as **Revised Exhibit 3**,

1 labeled as "Revised Exhibit 3, Rev Agmt, June 14, 2021 - NCSPHS",
2 and incorporated herein by this reference (the "Agreement"). The
3 Agreement may include such additions, deletions and changes as may
4 be reasonable, necessary and incidental for carrying out the
5 purposes thereof, as may be acceptable to the Mayor, or his
6 designee, with such inclusion and acceptance being evidenced by
7 execution of the Agreement by the Mayor, or his designee; provided
8 however, no modification to the Agreement may increase the
9 financial obligations or liability of the City to an amount in
10 excess of the amount stated in the Agreement or decrease the duties
11 and obligations of the Sulzbacher Center as stated in the
12 Agreement, and any such modification shall be technical only and
13 shall be subject to appropriate legal review and approval by the
14 Office of General Counsel. For the purposes of this Ordinance, the
15 term "technical changes" is defined as those changes having no
16 financial impact to the City and any other non-substantive changes
17 that do not substantively increase the duties and responsibilities
18 of the City under the provisions of the Agreement.

19 **Section 4. Invoking the exception to Section 126.107(g),**
20 **Ordinance Code.** The City is hereby authorized to procure the use of
21 the professional services of the Sulzbacher Center, to provide
22 additional services to the MHOP program, a jail diversion program
23 for mentally ill misdemeanor offenders. Pursuant to Section
24 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
25 (Procurement Code), Ordinance Code, such procurement is exempted
26 from competitive solicitation because the supplies or services are
27 to be provided by those specifically prescribed within authorizing
28 legislation that appropriates the same. With the exception of the
29 foregoing, all other provisions of Chapter 126, Ordinance Code,
30 shall remain in full force and effect.

31 **Section 5. Reverter.** The First Amendment to the Funding

1 Agreement authorized in Section 3 is conditioned upon I.M.
2 Sulzbacher Center for the Homeless, Inc. using the said vehicle
3 authorized for purchase for the purposes set forth herein and is
4 conditioned upon I.M. Sulzbacher Center for the Homeless, Inc.
5 agreeing to convey the vehicle to the City of Jacksonville in the
6 event that the vehicle is not used for those purposes or in the
7 event that I.M. Sulzbacher Center for the Homeless, Inc. elects to
8 sell the vehicle within a five-year period from the effective date.

9 **Section 6. Oversight.** The Mayor is requested to appoint
10 the Office of Grants and Contract Compliance to oversee the project
11 in Section 2 above and to ensure compliance with all other
12 appropriate laws.

13 **Section 7. Effective Date.** This Ordinance shall become
14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.

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20 Form Approved:

21
22 /s/ Paige H. Johnston

23 Office of General Counsel

24 Legislation prepared by: Margaret M. Sidman

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