

1 Introduced by Council Member Salem and Co-Sponsored by Council
2 Member R. Gaffney:

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5 **ORDINANCE 2020-733**

6 AN ORDINANCE APPROPRIATING \$400,000 (\$200,000
7 FROM THE SOCIAL JUSTICE AND COMMUNITY
8 INVESTMENT SPECIAL COMMITTEE CONTINGENCY AND
9 \$200,000 FROM THE OFFICE OF THE SHERIFF PRE-
10 TRIAL OPERATIONS - HEALTH SERVICES) FOR THE
11 MENTAL HEALTH OFFENDER PROGRAM ("MHOP");
12 APPROVING, AND AUTHORIZING THE MAYOR, OR HIS
13 DESIGNEE, AND CORPORATION SECRETARY TO EXECUTE
14 AND DELIVER, AN AGREEMENT BETWEEN THE CITY OF
15 JACKSONVILLE AND THE I.M. SULZBACHER CENTER
16 FOR THE HOMELESS, INC. ("SULZBACHER CENTER");
17 INVOKING THE EXCEPTION IN SECTION 126.107(G),
18 *ORDINANCE CODE*, TO ALLOW DIRECT CONTRACT WITH
19 I.M. SULZBACHER CENTER FOR THE HOMELESS, INC.
20 TO PROVIDE SERVICES TO THE MHOP AND MANAGE THE
21 MHOP; APPROVING, AND AUTHORIZING THE MAYOR, OR
22 HIS DESIGNEE, AND CORPORATION SECRETARY TO
23 EXECUTE AND DELIVER, AN AGREEMENT BETWEEN THE
24 CITY OF JACKSONVILLE AND THE FOURTH JUDICIAL
25 CIRCUIT COURTS OF FLORIDA TO PROVIDE FOR A
26 MENTAL HEALTH JAIL INITIATIVE COORDINATOR;
27 INVOKING THE EXCEPTION IN SECTION 126.107(G),
28 *ORDINANCE CODE*, TO ALLOW DIRECT CONTRACT WITH
29 THE FOURTH JUDICIAL CIRCUIT COURTS OF FLORIDA
30 TO PROVIDE FOR A MENTAL HEALTH JAIL
31 INITIATIVE COORDINATOR; PROVIDING FOR

1 OVERSIGHT BY THE OFFICE OF GRANTS AND CONTRACT
2 COMPLIANCE; REQUESTING ONE CYCLE EMERGENCY
3 PASSAGE; PROVIDING AN EFFECTIVE DATE.

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

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

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

12 (a) Appropriated from:

13 See attached **Exhibit 1** \$400,000

14 (b) Appropriated to:

15 See attached **Exhibit 1** \$400,000

16 (c) **Explanation of Appropriation** - The funding above is being
17 appropriated (\$200,000 from the Social Justice and
18 Community Investment Special Committee Contingency and
19 \$200,000 from the Office of the Sheriff Pre-Trial
20 Services - Health Services) to provide funding for a jail
21 diversion program for mentally ill misdemeanor offenders
22 to be managed by the Sulzbacher Center (\$350,000) and to
23 hire a Mental Health Initiative Jail Coordinator
24 ("Coordinator"), to be housed in the court system, to
25 oversee the MHOP (\$50,000).

26 **Section 2. Purpose.** The purpose of the appropriation in
27 Section 1 is to provide funding for the Mental Health Offender
28 Program (MHOP), which is a jail diversion program for mentally ill
29 misdemeanor offenders, services and a program coordinator, as more
30 fully described in **Exhibit 2** attached hereto. The MHOP operational
31 services will be managed by the Sulzbacher Center. The Mental

1 Health Initiative Jail Coordinator will be managed by the court
2 system.

3 **Section 3. 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 the I.M.
7 Sulzbacher Center for the Homeless, Inc., in substantially the form
8 as attached hereto as **Exhibit 3**, 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 the Sulzbacher
18 Center as stated in the Agreement, and any such modification shall
19 be technical only and shall be subject to appropriate legal review
20 and approval by the Office of General Counsel. For the purposes of
21 this Ordinance, the term "technical changes" is defined as those
22 changes 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 4. 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 the Sulzbacher Center, to manage the
29 jail diversion program for mentally ill misdemeanor offenders.
30 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
31 Regulations), Chapter 126 (Procurement Code), Ordinance Code, such

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

6 **Section 5. Agreement approved and execution authorized.**

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

30 **Section 6. Invoking the exception to Section 126.107(g),**
31 **Ordinance Code.** The City is hereby authorized to procure the use of

1 the professional services of the Fourth Judicial Circuit Courts of
2 Florida to provide for a Mental Health Initiative Coordinator.
3 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
4 Regulations), Chapter 126 (Procurement Code), Ordinance Code, such
5 procurement is exempted from competitive solicitation because the
6 supplies or services are to be provided by those specifically
7 prescribed within authorizing legislation that appropriates the
8 same. With the exception of the foregoing, all other provisions of
9 Chapter 126, Ordinance Code, shall remain in full force and effect.

10 **Section 7. Oversight.** The Mayor is requested to appoint
11 the Office of Grants and Contract Compliance to oversee the project
12 in Section 2 above and to ensure compliance with all other
13 appropriate laws.

14 **Section 8. Requesting one cycle emergency passage**
15 **pursuant to Council Rule 4.901 Emergency.** One cycle emergency
16 passage of this legislation is requested. The nature of the
17 emergency is that mental health needs are great, and the community
18 will be well served by not delaying these needed mental health
19 services.

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

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24 Form Approved:

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26 /s/ Margaret M. Sidman

27 Office of General Counsel

28 Legislation prepared by: Margaret M. Sidman

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