

**CITY COUNCIL RESEARCH DIVISION  
LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2021-0117

**Introducer/Sponsor(s):** Co-Introduced by Council Members Pittman, Freeman and Dennis

**Date of Introduction:** February 23, 2021

**Committee(s) of Reference:** F, R

**Date of Analysis:** February 23, 2021

**Type of Action:** Amends, repeals, and replaces Parts and Sections of Chapters 24 & 126 of the Ordinance Code

**Bill Summary:** This bill repeals, amends, and replaces multiple sections within Chapter 24 – Finance and Administration Department, and Chapter 126 – Procurement Code, of the Ordinance code as it relates to the Jacksonville Small & Emerging Business (JSEB) Program:

- Repealing Chapter 24 (Finance and Administration Department), Part 6, Section 24.604 (Office of the Ombudsman Functions) and Section 24.605 (Equal Business Opportunity Office Functions), Ordinance Code
- Creating a new Chapter 24 (Finance and Administration Department), Part 10 (Office of the Ombudsman) and Part 11 (Equal Business Opportunity Division), Ordinance Code. New Sections are as follows:
  - **PART 10. OFFICE OF THE OMBUDSMAN**  
Sec. 24.1101. Establishments; functions.
  - **PART 11. EQUAL BUSINESS OPPORTUNITY DIVISION**  
Sec. 24.1101. Establishment; functions.  
Sec. 24.1102. Chief, Equal Business Opportunity.  
Sec. 24.1103. Duties of Chief.
- Amending Chapter 24 (Finance and Administration Department), Section 24.603 (Duties of Chief of Procurement), Ordinance Code to strike the following from the Chief’s duties:
  - Oversee the Office of Ombudsman
  - Oversee the Office of Equal Business Opportunity
- Repealing Chapter 126 (Procurement Code), Part 6A (Small Business Capital, Bonding, and Outreach Program) and Part 6B (Jacksonville Small Emerging Business Program), Ordinance Code.
- Creating a new Chapter 126 (Procurement Code), Part 6 (Jacksonville Small Emerging Business Program), Subpart A (General Provisions), Subpart B (Program Administration), Subpart C (Program Support Services; Marketing and Outreach), and Subpart D (Program Eligibility, Procedures, and Other Requirements), Ordinance Code. New Sections are as follows:
  - **CHAPTER 126 – PROCURMENT CODE**  
**PART 6. JACKSONVILLE SMALL AND EMERGING BUSINESS PROGRAM**
  - **SUBPART A. GENERAL PROVISIONS**  
Sec. 126.601 - Legislative Intent.  
Sec. 126.602 - Legislative Findings.  
Sec. 126.603 - Purpose.  
Sec. 126.604 – Definitions.  
Sec. 126.605. - Annual Budget Appropriation.

- **SUBPART B. PROGRAM ADMINISTRATION**  
 Sec. 126.606. - JSEB Administrator.  
 Sec. 126.607. - JSEB Monitoring Committee; Annual Program Review.
- **SUBPART C. PROGRAM SUPPORT SERVICES; MARKETING AND OUTREACH; DISPARITY STUDY UPDATE**  
 Sec. 126.608. - Creation of bond enhancement program.  
 Sec. 126.609. - Access to capital.  
 Sec. 126.610. - Training programs; Community Outreach and Program Marketing.  
 Sec. 126.611. - Insurance program review.  
 Sec. 126.612. – Disparity Study Update.
- **SUBPART D. – PROGRAM ELIGIBILITY, PROCEDURES AND OTHER REQUIREMENTS**  
 Sec. 126.613. - Jacksonville Small Emerging Businesses defined.  
 Sec. 126.614. - JSEB and Program eligibility.  
 Sec. 126.615. - Jacksonville Small Emerging Business Program Goals; Other Program Directives.  
 Sec. 126.616. - Contract pre-award compliance procedures.  
 Sec. 126.617. – Pre-award review of compliance with numerical goals, including good faith efforts.  
 Sec. 126.618. - Good faith efforts in lieu of meeting Program goals.  
 Sec. 126.619. - Contract performance compliance procedures.  
 Sec. 126.620. - Continuing obligations of JSEBs and graduation.  
 Sec. 126.621. - De-certification, Denial and appeal procedure.  
 Sec. 126.622. - Other provisions of purchasing code to apply.  
 Sec. 126.623. - Counting subcontracting participation of JSEBs.  
 Sec. 126.624. - Acts which may result in expulsion from the JSEB program; fines, and criminal offenses.

**Background Information:** The City determined in 2004 that growing JSEBs is beneficial to the City and its individual residents. The City devised the JSEB Program to address several concerns that were found to impede the growth of small businesses, including bonding issues, access to capital, training, city procurement barriers, and lack of resources for growth. A Special Committee on JSEB was established in August 2020 to review the Program and make improvements and recommendations to the Program supported by evidence, disparity studies, and applicable federal and state law. The Special Committee held multiple meetings and heard from various guest speakers and presenters, including JSEB vendors, prime contractors, the City’s Procurement Division, other interested parties, and the public. A copy of the Special Committee’s Final Report is attached as Exhibit 1. Based on the Special Committee’s review of the Program, the City desires to further improve certain aspects of the Program to better assist JSEBs in growing and graduating from the Program.

**Policy Impact Area:** Ordinance Code, Finance and Administration Department, JSEB Program, EBO Office, Procurement, Ombudsman Office

**Fiscal Impact:** No financial impacts anticipated

**Analyst:** Baltiero