

1 Introduced by Council Member Salem & Co-Sponsored by Council Member
2 Gaffney and amended by the Neighborhoods, Community Services,
3 Public Health & Safety Committee:
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6 **ORDINANCE 2020-733-E**

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

1 TO PROVIDE FOR A MENTAL HEALTH JAIL INITIATIVE
2 COORDINATOR; PROVIDING FOR OVERSIGHT BY THE
3 OFFICE OF GRANTS AND CONTRACT COMPLIANCE;
4 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
5 PROVIDING AN EFFECTIVE DATE.
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7 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

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

14 (a) Appropriated from:

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

16 (b) Appropriated to:

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

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

28 **Section 2. Purpose.** The purpose of the appropriation in
29 Section 1 is to provide funding for the Mental Health Offender
30 Program (MHOP), which is a jail diversion program for mentally ill
31 misdemeanor offenders, services and a program coordinator, as more

1 fully described in **Exhibit 2** attached hereto. The MHOP operational
2 services will be managed by the Sulzbacher Center. The Mental
3 Health Initiative Jail Coordinator will be managed by the court
4 system.

5 **Section 3. Agreement approved and execution authorized.**

6 There is hereby approved, and the Mayor, or his designee, and
7 Corporation Secretary are hereby authorized to execute and deliver,
8 the Funding Agreement between the City of Jacksonville and the I.M.
9 Sulzbacher Center for the Homeless, Inc., in substantially the form
10 as attached hereto as **Exhibit 3**, and incorporated herein by this
11 reference (the "Agreement"). The Agreement may include such
12 additions, deletions and changes as may be reasonable, necessary
13 and incidental for carrying out the purposes thereof, as may be
14 acceptable to the Mayor, or his designee, with such inclusion and
15 acceptance being evidenced by execution of the Agreement by the
16 Mayor, or his designee; provided however, no modification to the
17 Agreement may increase the financial obligations or liability of
18 the City to an amount in excess of the amount stated in the
19 Agreement or decrease the duties and obligations of the Sulzbacher
20 Center as stated in the Agreement, and any such modification shall
21 be technical only and shall be subject to appropriate legal review
22 and approval by the Office of General Counsel. For the purposes of
23 this Ordinance, the term "technical changes" is defined as those
24 changes having no financial impact to the City and any other non-
25 substantive changes that do not substantively increase the duties
26 and responsibilities of the City under the provisions of the
27 Agreement.

28 **Section 4. Invoking the exception to Section 126.107(g),**
29 **Ordinance Code.** The City is hereby authorized to procure the use of
30 the professional services of the Sulzbacher Center, to manage the
31 jail diversion program for mentally ill misdemeanor offenders.

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

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

9 There is hereby approved, and the Mayor, or his designee, and
10 Corporation Secretary are hereby authorized to execute and deliver,
11 the Funding Agreement between the City of Jacksonville and the
12 Fourth Judicial Circuit Courts of Florida, in substantially the
13 form as attached hereto as **Revised Exhibit 4**, labeled as "Revised
14 Exhibit 4, Revised Agmt, November 30, 2020 - NCSPHS", and
15 incorporated herein by this reference (the "Agreement") to provide
16 for a Mental Health Initiative Coordinator. The Agreement may
17 include such additions, deletions and changes as may be reasonable,
18 necessary and incidental for carrying out the purposes thereof, as
19 may be acceptable to the Mayor, or his designee, with such
20 inclusion and acceptance being evidenced by execution of the
21 Agreement by the Mayor, or his designee; provided however, no
22 modification to the Agreement may increase the financial
23 obligations or liability of the City to an amount in excess of the
24 amount stated in the Agreement or decrease the duties and
25 obligations of the Fourth Judicial Circuit Courts of Florida as
26 stated in the Agreement, and any such modification shall be
27 technical only and shall be subject to appropriate legal review and
28 approval by the Office of General Counsel. For the purposes of this
29 Ordinance, the term "technical changes" is defined as those changes
30 having no financial impact to the City and any other non-
31 substantive changes that do not substantively increase the duties

1 and responsibilities of the City under the provisions of the
2 Agreement.

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

14 **Section 7. Oversight.** The Mayor is requested to appoint
15 the Office of Grants and Contract Compliance to oversee the project
16 in Section 2 above and to ensure compliance with all other
17 appropriate laws.

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

24 **Section 9. Effective Date.** This Ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

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28 Form Approved:

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30 /s/ Paige H. Johnston

31 Office of General Counsel

1 Legislation prepared by: Margaret M. Sidman

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