

1 Introduced by Council President Salem and substituted by the Finance
2 Committee:

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4
5 **ORDINANCE 2023-511-E**

6 AN ORDINANCE APPROPRIATING \$47,593,032
7 (\$46,968,032 FROM SPECIAL COUNCIL CONTINGENCY -
8 KHA AND \$625,000 FROM GENERAL FUND - GSD SPECIAL
9 COUNCIL CONTINGENCY) TO THE KIDS HOPE ALLIANCE
10 (KHA); PROVIDING FOR THE KIDS HOPE ALLIANCE
11 COMPREHENSIVE BUDGET TRANSFER POWERS; APPROVING
12 AND AUTHORIZING EXECUTION OF AGREEMENTS BY THE
13 MAYOR, OR HER DESIGNEE, AND THE CORPORATION
14 SECRETARY WITH NAMED GRANT RECIPIENTS; APPROVAL
15 AND AUTHORIZATION TO EXECUTE AGREEMENTS WITH
16 NAMED GRANT RECIPIENTS AND INVOKING THE
17 EXEMPTION IN SECTION 126.107(G), *ORDINANCE CODE*;
18 AUTHORIZING THE PROCUREMENT OF SERVICES PURSUANT
19 TO SINGLE-SOURCE AWARD PROVISIONS CONTAINED IN
20 SECTIONS 126.206 (SINGLE-SOURCE, NONCOMPETITIVE
21 PURCHASES) AND 126.312 (SINGLE-SOURCE
22 NONCOMPETITIVE PURCHASE OF PROFESSIONAL
23 SERVICES), CHAPTER 126 (PROCUREMENT CODE),
24 *ORDINANCE CODE*; AUTHORIZING THE PROCUREMENT OF
25 SERVICES PURSUANT TO THE COMPETITIVE
26 SOLICITATION EXEMPTIONS LISTED IN SECTION
27 126.107 (EXEMPTIONS), PART 1 (GENERAL
28 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
29 *ORDINANCE CODE*; WAIVING SECTION 77.111(A)
30 (PROVIDER CONTRACTS), CHAPTER 77 (KIDS HOPE
31 ALLIANCE), *ORDINANCE CODE*; WAIVING SECTION

1 77.113 (ANNUAL OPERATING BUDGET; BUDGET
 2 TRANSFERS), CHAPTER 77 (KIDS HOPE ALLIANCE),
 3 *ORDINANCE CODE*, AND SECTION 106.304 (MAYOR'S
 4 TRANSFER POWER), CHAPTER 106 (BUDGET AND
 5 ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW FOR
 6 BUDGET TRANSFERS WITHIN THE PLAN; APPROVING AND
 7 AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS
 8 AND INVOKING THE EXEMPTION IN SECTION
 9 126.107(G), *ORDINANCE CODE*; AUTHORIZING THE
 10 OFFICE OF GENERAL COUNSEL AND THE COUNCIL
 11 AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY
 12 TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN
 13 EFFECTIVE DATE.

14
 15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Appropriation.** For the 2023-2024 fiscal year,
 17 within the City's budget, there are hereby appropriated the indicated
 18 sum(s) from the account(s) listed in subsection (a) to the account(s)
 19 listed in subsection (b):

20 (Account information is attached hereto as **Revised Exhibit 1** and
 21 incorporated herein by this reference)

22 (a) Appropriated from:

23 See **Revised Exhibit 1** \$47,593,032

24 (b) Appropriated to:

25 See **Revised Exhibit 1** \$47,593,032

26 (c) Explanation of Appropriation: The funding above is an
 27 appropriation of \$47,593,032, consisting of \$46,968,032
 28 from the Special Council Contingency - KHA account and
 29 \$625,000 from the General Fund - GSD Special Council
 30 Contingency account, to the Kids Hope Alliance for
 31 subsidies and contributions to private organizations.

1 **Section 2. Kids Hope Alliance Comprehensive Budget**
2 **Approved; Grant and Budget Transfers Authorized.** The Kids Hope
3 Alliance Fiscal Year 2023-2024 budget of \$47,593,032 for subsidies
4 and contributions to private organizations is herein appropriated as
5 provided on **Revised Exhibit 1**. Kids Hope Alliance is authorized to
6 receive grants and make budget transfers in the manner described
7 below:

8 **(a) Grants Received by Kids Hope Alliance.** The Kids Hope
9 Alliance is authorized and directed to follow the grant approval
10 process as outlined in Section 1.3 (e) (1) & (2) in the City Budget
11 Ordinance, 2023-504-E.

12 **(b) Kids Hope Alliance Transfer Authority Within the Plan.**
13 The Kids Hope Alliance is authorized to transfer, through a transfer
14 directive approved by the Mayor's Budget Review Committee, (i)
15 appropriations within each of the Essential Services Plan Categories,
16 and (ii) appropriations between Essential Services Plan Categories,
17 provided that cumulative transfers out of an Essential Service
18 Category do not exceed 25% of the individual Essential Services
19 Category budget from which the funds are being transferred. Any
20 transfer out of an Essential Services Category that results in more
21 than 25% of an individual Essential Services Category budget being
22 transferred out shall require City Council approval. In addition to
23 the transfer authority provided in the preceding sentences of this
24 subsection (b), the Kids Hope Alliance is authorized to transfer to
25 any Essential Services Category, through a transfer directive
26 approved by the Mayor's Budget Review Committee, excess funds
27 remaining after completion or termination of a contract for children's
28 services. Such transfers of excess funds shall not be included in the
29 calculation of, and shall not be subject to, the 25% limitation
30 provided in this subsection (b). There shall be provided to the
31 Council Auditor, the Council Finance Committee, and the Mayor's Budget

1 Review Committee at the end of each month a report detailing all
2 transfers made during that month.

3 **Section 3. Approval and Authorization to Execute Agreements**
4 **With Named Grant Recipients and Invoking the Exemption in Section**
5 **126.107(g), Ordinance Code.** Subject to the authorization terms in
6 Grant Agreements, the Mayor, or her designee, and the Corporation
7 Secretary and/or the Chief Executive Officer of the Kids Hope Alliance
8 ("CEO") are hereby authorized to contract directly with the entities
9 listed in the grant awards for the Criminal Justice Reinvestment,
10 Department of Health & Human Services (SAMHSA), and Department of
11 Justice grants, as shown in **Revised Schedule M** attached hereto as
12 **Revised Exhibit 2** and incorporated herein by this reference, and to
13 extend or renew such contracts to the extent that the underlying
14 grant is extended or renewed. Pursuant to Section 126.107(g)
15 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
16 Code), *Ordinance Code*, such services are exempted from competitive
17 solicitation because the services to be provided are being approved
18 pursuant to this Ordinance.

19 **Section 4. Authorization to Procure Services Pursuant to**
20 **the Single-Source Award Provisions Contained in Section 126.206 and**
21 **Section 126.312, Ordinance Code.** Kids Hope Alliance is authorized
22 to procure supplies, professional services and contractual services,
23 including but not limited to, children and youth services pursuant
24 to the single-source award provisions contained in Section 126.206
25 (Single-source, noncompetitive purchases) and Section 126.312
26 (Single-source noncompetitive purchase of professional services),
27 Chapter 126 (Procurement Code), *Ordinance Code*, as needed. All such
28 services procured by Kids Hope Alliance pursuant to Sections 126.206
29 and 126.312, *Ordinance Code*, shall be consistent with the purposes
30 of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and awarded in
31 accordance with Chapter 126, *Ordinance Code*.

1 **Section 5. Authorization to Procure Services Pursuant to**
2 **the Competitive Solicitation Exemptions Contained in Section 126.107,**
3 **Ordinance Code.** Kids Hope Alliance is authorized to procure supplies,
4 professional services and contractual services, including but not
5 limited to, children and youth services pursuant to the competitive
6 solicitation exemptions listed in Section 126.107 (Exemptions), Part
7 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
8 *Code*, as needed. All such services procured by Kids Hope Alliance
9 pursuant to Section 126.107, *Ordinance Code*, shall be consistent with
10 the purposes of Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and
11 awarded in accordance with Chapter 126, *Ordinance Code*.

12 **Section 6. Waiving Section 77.111(a), Ordinance Code.** The
13 City hereby waives the provisions in Section 77.111(a) (Provider
14 Contracts), Chapter 77 (Kids Hope Alliance), *Ordinance Code*, with
15 respect to the authorizations described in Sections 3 through 5 above
16 and Section 8 below. Section 77.111(a) requires contracts for
17 children's services to be competitively procured by Kids Hope Alliance
18 via an evaluated bid process. This waiver is necessary to allow Kids
19 Hope Alliance to: (i) enter into direct contracts with the entities
20 described in Section 3 above and Section 8 below; (ii) procure
21 supplies, professional services and contractual services, including
22 but not limited to, children and youth services pursuant to the
23 single-source award provisions contained in Sections 126.206 and
24 126.312, *Ordinance Code*, as needed, as described in Section 4 above;
25 and (iii) procure supplies, professional services and contractual
26 services, including but not limited to, children and youth services
27 pursuant to the competitive solicitation exemptions contained in
28 Section 126.107, *Ordinance Code*, as needed, as described in Section
29 5 above.

30 **Section 7. Waiving Section 77.113 and Section 106.304,**
31 **Ordinance Code.** Section 77.113 (Annual operating budget; budget

1 transfers), Chapter 77 (Kids Hope Alliance), *Ordinance Code*,
2 regarding the Kids Hope Alliance budget transfer authority, and
3 Section 106.304 (Mayor's transfer power), Subpart A (General
4 Provisions), Part 3 (Appropriations), Chapter 106 (Budget and
5 Accounting Code), *Ordinance Code*, regarding the Mayor's transfer
6 authority, are hereby waived. The provisions for Kids Hope Alliance
7 budget transfers are permitted by compliance with Section 2(b) of
8 this Ordinance.

9 **Section 8. Approval and Authorization to Execute Grant**
10 **Agreements and Invoking the Exemption in Section 126.107(g),**
11 ***Ordinance Code*.**

12 (a) **Approval and authorization to execute grant agreements.** The
13 Mayor, or her designee, and the Corporation Secretary and/or
14 Chief Executive Officer of the Kids Hope Alliance ("CEO") are
15 hereby authorized to negotiate and execute grant agreements and
16 to disburse grant funds to the following entities, in the not-
17 to-exceed amounts outlined below, and for the programs described
18 herein as follows: (1) \$150,000 to the Police Athletic League
19 of Jacksonville, Incorporated for its Teen Leadership Program
20 as described in **Exhibit 3**, attached hereto; (2) \$150,000 to
21 Operation Save Our Sons, Inc. for the Operation Save Our Sons
22 Program as described in **Exhibit 4**, attached hereto; (3) \$125,000
23 to Northeast Florida Healthy Start Coalition, Inc. for the Safe
24 Sleep Initiative as described in **Exhibit 5**, attached hereto; (4)
25 \$75,000 to My Village Project, Inc. for Project Daily Attendance
26 as described in **Exhibit 6**, attached hereto; (5) \$50,000 to Alpha
27 Phi Alpha Fraternity, Inc. - Upsilon Lambda Chapter for Youth
28 Development Programs as described in **Exhibit 7**, attached hereto;
29 and (6) \$75,000 to The Giving Closet Project, Inc. for its
30 Essential Angels Program as described in **Exhibit 8**, attached
31 hereto. These grants shall be subject to and administered in

1 accordance with Chapter 77, *Ordinance Code*, and the terms, scope
2 and conditions more fully described in the above-enumerated
3 Exhibits and the grant agreements entered into between the City
4 and/or KHA and the respective recipient agencies.

5 (b) **Invoking the exemption in Section 126.107(g), *Ordinance Code*.**

6 The City and/or KHA are authorized to enter into grant agreements
7 with the entities listed in Section 8(a) above for the services
8 outlined in the Exhibit attached hereto for each respective
9 recipient. Pursuant to Section 126.107(g), *Ordinance Code*, such
10 procurement is exempted from competitive solicitation. With the
11 exception of the foregoing, all other provisions of Chapter 126,
12 *Ordinance Code*, shall remain in full force and effect.

13 **Section 9. Office of General Counsel and Council Auditor's**
14 **Office Authorization.** The Office of General Counsel and the Council
15 Auditor's Office are hereby authorized to make all changes to titles,
16 tables of content, *Ordinance Code*, journal entries, schedules,
17 attachments, editorial and text changes consistent with the changes
18 set forth herein to Ordinance 2023-504 and Ordinance 2023-511 to
19 effectuate the Council's action.

20 **Section 10. Effective Date.** This Ordinance shall
21 become effective upon signature by the Mayor or upon becoming
22 effective without the Mayor's signature.

23
24 Form Approved:

25
26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Mary E. Staffopoulos