

1 Introduced by Council Member Freeman & Co-Sponsored by Council
2 Members Morgan, Ferraro, Bowman, White, Pittman, Salem, DeFoor,
3 Carlucci, Newby, Hazouri, Carrico, and Gaffney:
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6 **ORDINANCE 2021-81-E**

7 AN ORDINANCE APPROVING, AND AUTHORIZING THE
8 MAYOR, OR HIS DESIGNEE, AND CORPORATION
9 SECRETARY TO EXECUTE AND DELIVER, AN AGREEMENT
10 BETWEEN THE CITY OF JACKSONVILLE AND HEARTS 4
11 MINDS, INC.; INVOKING THE EXCEPTION IN SECTION
12 126.107(G), *ORDINANCE CODE*, TO ALLOW DIRECT
13 CONTRACT WITH HEARTS 4 MINDS, INC. TO PROVIDE
14 THE SERVICES FOR A MENTAL HEALTH MURAL
15 CAMPAIGN; WAIVING SECTION 110.112 (ADVANCE OF
16 CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE
17 CITY TREASURY), CHAPTER 110 (CITY TREASURY),
18 *ORDINANCE CODE*, TO ALLOW FOR A PARTIAL ADVANCE
19 PAYMENT BY THE CITY; PROVIDING FOR OVERSIGHT
20 BY THE OFFICE OF PUBLIC AFFAIRS; PROVIDING AN
21 EFFECTIVE DATE.
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23 **WHEREAS**, the 2020-2021 City Budget appropriated \$200,000 for
24 Mental Health Campaigns; and

25 **WHEREAS**, Hearts 4 Minds, Inc. has undertaken a city-wide
26 campaign to raise awareness of mental health issues; and

27 **WHEREAS**, Hearts 4 Minds, Inc. has support from community
28 partners to further this campaign; and

29 **WHEREAS**, the funds already appropriated in 2020-504-E are
30 hereby being utilized in a direct contract to Hearts 4 Minds, Inc.
31 to provide services for a mental health mural campaign; now

1 therefore

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

3 **Section 1. 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 Hearts 4
7 Minds, Inc., in substantially the form as attached hereto as
8 **Exhibit 1**, and incorporated herein by this reference (the
9 "Agreement"). The Agreement may include such additions, deletions
10 and changes as may be reasonable, necessary and incidental for
11 carrying out the purposes thereof, as may be acceptable to the
12 Mayor, or his designee, with such inclusion and acceptance being
13 evidenced by execution of the Agreement by the Mayor, or his
14 designee; provided however, no modification to the Agreement may
15 increase the financial obligations or liability of the City to an
16 amount in excess of the amount stated in the Agreement or decrease
17 the duties and obligations of Hearts 4 Minds, Inc. as stated in the
18 Agreement, and any such modification shall be technical only and
19 shall be subject to appropriate legal review and approval by the
20 Office of General Counsel. For the purposes of this Ordinance, the
21 term "technical changes" is defined as those changes having no
22 financial impact to the City and any other non-substantive changes
23 that do not substantively increase the duties and responsibilities
24 of the City under the provisions of the Agreement.

25 **Section 2. Invoking the exception to Section 126.107(g),**
26 **Ordinance Code.** The City is hereby authorized to procure the use of
27 the professional services of Hearts 4 Minds, Inc., to provide
28 services for a mental health mural campaign. Pursuant to Section
29 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
30 (Procurement Code), *Ordinance Code*, such procurement is exempted
31 from competitive solicitation because the supplies or services are

1 to be provided by those specifically prescribed within authorizing
2 legislation that appropriates the same. With the exception of the
3 foregoing, all other provisions of Chapter 126, *Ordinance Code*,
4 shall remain in full force and effect.

5 **Section 3. Waiving Section 110.112, Ordinance Code.**

6 Section 110.112 (Advance of City funds; prohibition against), Part
7 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
8 is hereby waived to allow for a partial advance payment as
9 described in the Agreement.

10 **Section 4. Oversight.** The Mayor is requested to appoint

11 the Office of Public Affairs to oversee the project in Section 1
12 above and to ensure compliance with all other appropriate laws.

13 **Section 5. Effective Date.** This Ordinance shall become

14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.

16 Form Approved:

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18 /s/ Margaret M. Sidman

19 Office of General Counsel

20 Legislation prepared by: Margaret M. Sidman

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