

1 Introduced by Council President Freeman:  
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4 **ORDINANCE 2022-511**

5 AN ORDINANCE APPROPRIATING \$37,525,760 FROM  
6 SPECIAL COUNCIL CONTINGENCY - KHA TO THE KIDS  
7 HOPE ALLIANCE (KHA); PROVIDING FOR THE KIDS HOPE  
8 ALLIANCE COMPREHENSIVE BUDGET TRANSFER POWERS;  
9 APPROVING AND AUTHORIZING EXECUTION OF  
10 AGREEMENTS BY THE MAYOR, OR HIS DESIGNEE, AND  
11 THE CORPORATION SECRETARY WITH NAMED GRANT  
12 RECIPIENTS; AUTHORIZING THE PROCUREMENT OF  
13 SERVICES PURSUANT TO THE COMPETITIVE  
14 SOLICITATION EXEMPTIONS LISTED IN SECTION  
15 126.107 (EXEMPTIONS), PART 1 (GENERAL  
16 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),  
17 *ORDINANCE CODE*; AUTHORIZING THE PROCUREMENT OF  
18 SERVICES PURSUANT TO SINGLE-SOURCE AWARD  
19 PROVISIONS CONTAINED IN SECTIONS 126.206  
20 (SINGLE-SOURCE, NONCOMPETITIVE PURCHASES) AND  
21 126.312 (SINGLE-SOURCE NONCOMPETITIVE PURCHASE  
22 OF PROFESSIONAL SERVICES), CHAPTER 126  
23 (PROCUREMENT CODE), *ORDINANCE CODE*; PROVIDING  
24 FOR WAIVER OF SECTION 77.111(A) (PROVIDER  
25 CONTRACTS), CHAPTER 77 (KIDS HOPE ALLIANCE),  
26 *ORDINANCE CODE*; PROVIDING FOR WAIVER OF SECTION  
27 77.113 (ANNUAL OPERATING BUDGET; BUDGET  
28 TRANSFERS), CHAPTER 77 (KIDS HOPE ALLIANCE),  
29 *ORDINANCE CODE*, AND SECTION 106.304 (MAYOR'S  
30 TRANSFER POWER), CHAPTER 106 (BUDGET AND  
31 ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW FOR

1 BUDGET TRANSFERS WITHIN THE PLAN; AUTHORIZING  
2 APPROVAL OF TECHNICAL AMENDMENTS BY THE CHIEF  
3 EXECUTIVE OFFICER OF THE KHA; AUTHORIZING THE  
4 OFFICE OF GENERAL COUNSEL AND THE COUNCIL  
5 AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY  
6 TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN  
7 EFFECTIVE DATE.

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

10 **Section 1. Appropriation.** For the 2022-2023 fiscal year,  
11 within the City's budget, there are hereby appropriated the indicated  
12 sum(s) from the account(s) listed in subsection (a) to the account(s)  
13 listed in subsection (b):

14 (Account information is attached hereto as **Exhibit 1** and incorporated  
15 herein by this reference)

16 (a) Appropriated from:

17 See **Exhibit 1** \$37,525,760

18 (b) Appropriated to:

19 See **Exhibit 1** \$37,525,760

20 (c) **Explanation of Appropriation:** the appropriation above  
21 is appropriating \$37,525,760 from Special Council  
22 Contingency - KHA to the Kids Hope Alliance for  
23 subsidies and contributions to private organizations.

24 **Section 2. Kids Hope Alliance Comprehensive Budget**  
25 **Approved; Grant and budget transfers authorized.** The Kids Hope  
26 Alliance fiscal year 2022-2023 budget of \$37,525,760 for subsidies  
27 and contributions to private organizations comprised of federal,  
28 state, City and private funding, is herein appropriated as provided  
29 on Exhibit 1. Kids Hope Alliance is authorized to receive grants  
30 and make budget transfers in the manner described below:

31 (a) **Grants Received by Kids Hope Alliance.** The Kids Hope

1 Alliance is authorized and directed to follow the grant approval  
2 process as outlined in Section 1.3 (e) (1) & (2) in the City Budget  
3 Ordinance, 2022-504-E.

4 **(b) Kids Hope Alliance transfer authority within the Plan.**

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

26 **Section 3. Approval and Authorization to execute agreements**  
27 **with named grant recipients and invoking the exemption in Section**  
28 **126.107(g), Ordinance Code.** Subject to the authorization terms in  
29 Grant Agreements, the Mayor, or his designee, and the Corporation  
30 Secretary and/or the Chief Executive Officer of the Kids Hope Alliance  
31 ("CEO") are hereby authorized to contract directly with the entities

1 listed in the grant awards for grants received from the Department  
2 of Health & Human Services (SAMHSA) and the Department of Justice -  
3 Comprehensive Anti-Gang Program for Youth grant, as shown in **Schedule**  
4 **M** attached hereto as **Exhibit 2** and incorporated herein by this  
5 reference, and to extend or renew such contracts to the extent that  
6 the underlying grant is extended or renewed. Pursuant to Section  
7 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126  
8 (Procurement Code), *Ordinance Code*, such services are exempted from  
9 competitive solicitation because the services to be provided are  
10 being approved via authorizing legislation pursuant to this  
11 Ordinance.

12 **Section 4. Authorization to procure services pursuant to**  
13 **the single-source award provisions contained in Sections 126.206**  
14 **(Single-source, noncompetitive purchases) and 126.312 (Single-source,**  
15 **noncompetitive purchase of professional services), Chapter 126**  
16 **(Procurement Code), *Ordinance Code*.** Kids Hope Alliance is authorized  
17 to procure supplies, professional services and contractual services,  
18 including but not limited to, children and youth services pursuant  
19 to the single-source award provisions contained in Sections 126.206  
20 (Single-source, noncompetitive purchases) and 126.312 (Single-source  
21 noncompetitive purchase of professional services), Chapter 126  
22 (Procurement Code), *Ordinance Code*, as needed. All such services  
23 procured by Kids Hope Alliance pursuant to Sections 126.206 and  
24 126.312, *Ordinance Code*, shall be consistent with the purposes of  
25 Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and awarded in  
26 accordance with Chapter 126, *Ordinance Code*.

27 **Section 5. Authorization to procure services pursuant to**  
28 **the competitive solicitation exemptions contained in Section 126.107**  
29 **(Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement**  
30 **Code), *Ordinance Code*.** Kids Hope Alliance is authorized to procure  
31 supplies, professional services and contractual services, including

1 but not limited to, children and youth services pursuant to the  
2 competitive solicitation exemptions listed in Section 126.107  
3 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement  
4 Code), *Ordinance Code*, as needed. All such services procured by Kids  
5 Hope Alliance pursuant to Section 126.107, *Ordinance Code*, shall be  
6 consistent with the purposes of Chapter 77 (Kids Hope Alliance),  
7 *Ordinance Code*, and awarded in accordance with Chapter 126, *Ordinance*  
8 *Code*.

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

27       **Section 7. Waiver of Section 77.113 (Annual operating**  
28 **budget; budget transfers), Chapter 77 (Kids Hope Alliance), *Ordinance***  
29 ***Code*, and Section 106.304 (Mayor's Transfer Power), Chapter 106**  
30 **(Budget and Accounting Code), *Ordinance Code*.** Section 77.113 (Annual  
31 operating budget; budget transfers), Chapter 77 (Kids Hope Alliance),

1 *Ordinance Code*, regarding the Kids Hope Alliance budget transfer  
2 authority, Section 106.304 (Mayor's Transfer Power), Chapter 106  
3 (Budget and Accounting Code), *Ordinance Code*, regarding the Mayor's  
4 transfer authority, are hereby waived. The provisions for Kids Hope  
5 Alliance budget transfers are permitted by compliance with Section  
6 2(b) herein of this Ordinance.

7 **Section 8. Office of General Counsel and Council Auditor's**  
8 **Office Authorization.** The Office of General Counsel and the Council  
9 Auditor's Office are hereby authorized to make all changes to titles,  
10 tables of content, Ordinance Code, journal entries, schedules,  
11 attachments, editorial and text changes consistent with the changes  
12 set forth herein to Ordinance 2022-504 and Ordinance 2022-511 to  
13 effectuate the Council's action.

14 **Section 9. Effective Date.** This ordinance shall become  
15 effective upon signature by the Mayor or upon becoming effective  
16 without the Mayor's signature.

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18 Form Approved:

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20           /s/ Mary E. Staffopoulos          

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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