

1 Introduced by Council President Freeman and amended by the Finance  
2 Committee:

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5 **ORDINANCE 2022-511-E**

6 AN ORDINANCE APPROPRIATING \$37,525,760 FROM  
7 SPECIAL COUNCIL CONTINGENCY - KHA AND \$400,000  
8 FROM SPECIAL COUNCIL CONTINGENCY FOR A TOTAL  
9 APPROPRIATION OF \$37,925,760 TO THE KIDS HOPE  
10 ALLIANCE (KHA); PROVIDING FOR THE KIDS HOPE  
11 ALLIANCE COMPREHENSIVE BUDGET TRANSFER POWERS;  
12 APPROVING AND AUTHORIZING EXECUTION OF  
13 AGREEMENTS BY THE MAYOR, OR HIS DESIGNEE, AND  
14 THE CORPORATION SECRETARY WITH NAMED GRANT  
15 RECIPIENTS; AUTHORIZING THE PROCUREMENT OF  
16 SERVICES PURSUANT TO THE COMPETITIVE  
17 SOLICITATION EXEMPTIONS LISTED IN SECTION  
18 126.107 (EXEMPTIONS), PART 1 (GENERAL  
19 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),  
20 *ORDINANCE CODE*; AUTHORIZING THE PROCUREMENT OF  
21 SERVICES PURSUANT TO SINGLE-SOURCE AWARD  
22 PROVISIONS CONTAINED IN SECTIONS 126.206  
23 (SINGLE-SOURCE, NONCOMPETITIVE PURCHASES) AND  
24 126.312 (SINGLE-SOURCE NONCOMPETITIVE PURCHASE  
25 OF PROFESSIONAL SERVICES), CHAPTER 126  
26 (PROCUREMENT CODE), *ORDINANCE CODE*; PROVIDING  
27 FOR WAIVER OF SECTION 77.111(A) (PROVIDER  
28 CONTRACTS), CHAPTER 77 (KIDS HOPE ALLIANCE),  
29 *ORDINANCE CODE*; PROVIDING FOR WAIVER OF SECTION  
30 77.113 (ANNUAL OPERATING BUDGET; BUDGET  
31 TRANSFERS), CHAPTER 77 (KIDS HOPE ALLIANCE),

1           *ORDINANCE CODE*, AND SECTION 106.304 (MAYOR'S  
 2           TRANSFER POWER), CHAPTER 106 (BUDGET AND  
 3           ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW FOR  
 4           BUDGET TRANSFERS WITHIN THE PLAN; AUTHORIZING  
 5           APPROVAL OF TECHNICAL AMENDMENTS BY THE CHIEF  
 6           EXECUTIVE OFFICER OF THE KHA; AUTHORIZING THE  
 7           OFFICE OF GENERAL COUNSEL AND THE COUNCIL  
 8           AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY  
 9           TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN  
 10          EFFECTIVE DATE.

11  
 12          **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

17          (Account information is attached hereto as **Revised Exhibit 1**, labeled  
 18          as "Revised Exhibit 1, Rev B.T., September 20, 2022 - Finance" and  
 19          incorporated herein by this reference)

20               (a)   Appropriated from:  
 21                        See **Revised Exhibit 1**                               \$37,925,760

22               (b)   Appropriated to:  
 23                        See **Revised Exhibit 1**                               \$37,925,760

24               (c)   **Explanation of Appropriation:** the appropriation above  
 25                        is appropriating \$37,525,760 from Special Council  
 26                        Contingency - KHA and \$400,000 from Special Council  
 27                        Contingency for a total appropriation of \$37,925,760  
 28                        to the Kids Hope Alliance for subsidies and  
 29                        contributions to private organizations of which  
 30                        \$400,000 will be used for the Career Pathways  
 31                        Enhancement.

**Section 2. Kids Hope Alliance Comprehensive Budget**

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

**(a) Grants Received by Kids Hope Alliance.** The Kids Hope Alliance is authorized and directed to follow the grant approval process as outlined in Section 1.3 (e)(1) & (2) in the City Budget Ordinance, 2022-504-E.

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

The Kids Hope Alliance is authorized to transfer, through a transfer directive approved by the Mayor's Budget Review Committee, (i) appropriations within each of the Essential Services Plan Categories; and (ii) appropriations between Essential Services Plan Categories, provided that cumulative transfers out of an Essential Service Category do not exceed 25% of the individual Essential Services Category budget from which the funds are being transferred. Any transfer out of an Essential Services Category that results in more than 25% of an individual Essential Services Category budget being transferred out shall require City Council approval. In addition to the transfer authority provided in the preceding sentences of this subsection (b), the Kids Hope Alliance is authorized to transfer to any Essential Services Category, through a transfer directive approved by the Mayor's Budget Review Committee, excess funds remaining after completion or termination of a contract for children's services. Such transfers of excess funds shall not be included in the calculation of, and shall not be subject to, the 25% limitation provided in this section (b). There shall be provided to the Council Auditor, the Council Finance Committee, and the Mayor's Budget Review

1 Committee at the end of each month a report detailing all transfers  
2 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 his 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 grants received from the Department  
10 of Health & Human Services (SAMHSA) and the Department of Justice -  
11 Comprehensive Anti-Gang Program for Youth grant, as shown in **Revised**  
12 **Schedule M** attached hereto as **Revised Exhibit 2**, labeled as "Revised  
13 Exhibit 2, Rev Schedule M, September 20, 2022 - Finance" and  
14 incorporated herein by this reference, and to extend or renew such  
15 contracts to the extent that the underlying grant is extended or  
16 renewed. Pursuant to Section 126.107(g) (Exemptions), Part 1 (General  
17 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such  
18 services are exempted from competitive solicitation because the  
19 services to be provided are being approved via authorizing legislation  
20 pursuant to this Ordinance.

21       **Section 4. Authorization to procure services pursuant to**  
22 **the single-source award provisions contained in Sections 126.206**  
23 **(Single-source, noncompetitive purchases) and 126.312 (Single-source,**  
24 **noncompetitive purchase of professional services), Chapter 126**  
25 **(Procurement Code), Ordinance Code.** Kids Hope Alliance is authorized  
26 to procure supplies, professional services and contractual services,  
27 including but not limited to, children and youth services pursuant  
28 to the single-source award provisions contained in Sections 126.206  
29 (Single-source, noncompetitive purchases) and 126.312 (Single-source  
30 noncompetitive purchase of professional services), Chapter 126  
31 (Procurement Code), *Ordinance Code*, as needed. All such services

1 procured by Kids Hope Alliance pursuant to Sections 126.206 and  
2 126.312, *Ordinance Code*, shall be consistent with the purposes of  
3 Chapter 77 (Kids Hope Alliance), *Ordinance Code*, and awarded in  
4 accordance with Chapter 126, *Ordinance Code*.

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

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

1 supplies, professional services and contractual services, including  
2 but not limited to, children and youth services pursuant to the  
3 competitive solicitation exemptions contained in Section 126.107,  
4 *Ordinance Code*, as needed, as described in Section 5 above.

5 **Section 7. Waiver of Section 77.113 (Annual operating**  
6 **budget; budget transfers), Chapter 77 (Kids Hope Alliance), Ordinance**  
7 **Code, and Section 106.304 (Mayor’s Transfer Power), Chapter 106**  
8 **(Budget and Accounting Code), Ordinance Code.** Section 77.113 (Annual  
9 operating budget; budget transfers), Chapter 77 (Kids Hope Alliance),  
10 *Ordinance Code*, regarding the Kids Hope Alliance budget transfer  
11 authority, Section 106.304 (Mayor’s Transfer Power), Chapter 106  
12 (Budget and Accounting Code), *Ordinance Code*, regarding the Mayor’s  
13 transfer authority, are hereby waived. The provisions for Kids Hope  
14 Alliance budget transfers are permitted by compliance with Section  
15 2(b) herein of this Ordinance.

16 **Section 8. Office of General Counsel and Council Auditor’s**  
17 **Office Authorization.** The Office of General Counsel and the Council  
18 Auditor’s Office are hereby authorized to make all changes to titles,  
19 tables of content, *Ordinance Code*, journal entries, schedules,  
20 attachments, editorial and text changes consistent with the changes  
21 set forth herein to Ordinance 2022-504 and Ordinance 2022-511 to  
22 effectuate the Council’s action.

23 **Section 9. Effective Date.** This ordinance shall become  
24 effective upon signature by the Mayor or upon becoming effective  
25 without the Mayor’s signature.

26 Form Approved:

27  
28           /s/ Mary E. Staffopoulos          

29 Office of General Counsel

30 Legislation prepared by: Mary E. Staffopoulos