

1 Introduced by Council Member Clark-Murray and Co-Sponsored by Council
2 Members Peluso, Carlucci and Johnson and amended by the Rules
3 Committee:

4
5
6 **ORDINANCE 2024-803-E**

7 AN ORDINANCE APPROPRIATING \$25,000 FROM GENERAL
8 FUND OPERATING RESERVES TO THE GENERAL FUND
9 OPERATING, MISCELLANEOUS GRANTS AND AIDS
10 ACCOUNT, TO PROVIDE CITY GRANT FUNDING TO THE
11 DR. MARTIN LUTHER KING, JR. MEMORIAL FOUNDATION,
12 INCORPORATED ("MLK FOUNDATION") TO SUPPORT THE
13 2025 MLK HOLIDAY GRAND PARADE EVENT AS DESCRIBED
14 HEREIN; INVOKING THE EXEMPTION IN SECTION
15 126.108(G) (EXEMPTIONS FROM COMPETITIVE
16 SOLICITATION), PART 1 (GENERAL REGULATIONS;
17 ETHICS AND TRANSPARENCY IN PUBLIC CONTRACTING),
18 CHAPTER 126 (PROCUREMENT CODE), *ORDINANCE CODE*,
19 TO ALLOW FOR A DIRECT CONTRACT WITH MLK
20 FOUNDATION; WAIVING SECTION 118.107 (NONPROFITS
21 TO RECEIVE FUNDING THROUGH A COMPETITIVE
22 EVALUATED AWARD PROCESS), PART 1 (GENERAL
23 PROVISIONS), CHAPTER 118 (CITY GRANTS),
24 *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT
25 WITH MLK FOUNDATION; WAIVING SECTION
26 118.301(A)(3)(IV) (EXPENDITURE OF APPROPRIATED
27 FUNDS), PART 3 (ADMINISTRATION OF CITY GRANTS),
28 CHAPTER 118 (CITY GRANTS), *ORDINANCE CODE*, TO
29 ALLOW THE GRANT FUNDS TO BE EXPENDED FOR COSTS
30 OF AMUSEMENTS, SOCIAL ACTIVITIES AND INCIDENTAL
31 COSTS RELATING THERETO; APPROVING, AND

1 AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE
2 CORPORATION SECRETARY TO EXECUTE AND DELIVER ON
3 BEHALF OF THE CITY A GRANT AGREEMENT BETWEEN THE
4 CITY OF JACKSONVILLE AND THE DR. MARTIN LUTHER
5 KING, JR. MEMORIAL FOUNDATION, INCORPORATED FOR
6 THE 2025 MLK HOLIDAY GRAND PARADE; PROVIDING FOR
7 OVERSIGHT BY THE GRANTS AND CONTRACT COMPLIANCE
8 DIVISION OF THE FINANCE DEPARTMENT; PROVIDING AN
9 EFFECTIVE DATE.

10
11 **BE IT ORDAINED** by the Council of the City of Jacksonville:

12 **Section 1. Appropriation.** For the 2024-2025 fiscal year,
13 within the City's budget, there is hereby appropriated the indicated
14 sum(s) from the account(s) listed in subsection (a) to the account(s)
15 listed in subsection (b):

16 (The account information is attached hereto as **Exhibit 1** and
17 incorporated herein by this reference)

18 (a) Appropriated from:

19 See **Exhibit 1** \$25,000

20 (b) Appropriated to:

21 See **Exhibit 1** \$25,000

22 (c) Explanation of Appropriation:

23 The funding above is an appropriation of \$25,000 from
24 General Fund Operating Reserves to the General Fund
25 Operating, Miscellaneous Grants and Aids account to provide
26 a grant to The Dr. Martin Luther King, Jr. Memorial
27 Foundation, Incorporated ("MLK Foundation") to provide
28 City funds for certain costs and expenses related to the
29 2025 MLK Holiday Grand Parade in Jacksonville. Although
30 the funds appropriated herein are from General Fund
31 Operating Reserves, the proposed use of these funds to

1 support programs and initiatives in Council District 9
2 fulfills the intent for funds previously appropriated in
3 fiscal year 2023-2024 for Council District 9 Council Member
4 strategic initiatives that were unencumbered and swept into
5 the General Fund Operating Reserves on October 1, 2024.

6 **Section 2. Purpose.** The purpose of the appropriation in
7 Section 1 is to provide grant funds from the City of Jacksonville to
8 MLK Foundation for the 2025 MLK Holiday Grand Parade as described in
9 **Exhibit 2**, attached hereto and incorporated herein by this reference.
10 This will be the 44th year of this event which will be held in downtown
11 Jacksonville on Monday, January 20, 2025. The City funds will offset
12 a portion of the costs of professional fees and services for the
13 Parade event including, but not limited to, equipment and facility
14 rentals, advertising, security, insurance, and post-event cleanup.
15 In addition to the City providing funds to support the parade event
16 as described herein, the Office of Sports and Entertainment will
17 provide assistance to MLK Foundation in the preparation and
18 implementation of the 2025 MLK Holiday Grand Parade as determined
19 appropriate by the City's Sports and Entertainment Officer.

20 **Section 3. Invoking the Exemption in Section 126.108(g),**
21 **Ordinance Code.** The City is hereby authorized to directly procure
22 the professional services of The Dr. Martin Luther King, Jr. Memorial
23 Foundation, Incorporated for coordination of the 2025 MLK Holiday
24 Grand Parade as described herein. Pursuant to Section 126.108(g)
25 (Exemptions from competitive solicitation), Part 1 (General
26 Regulations; Ethics and Transparency in Public Contracting), Chapter
27 126 (Procurement Code), *Ordinance Code*, such procurement is exempted
28 from competitive solicitation because the supplies or services are
29 to be provided by those specifically prescribed within authorizing
30 legislation. With the exception of the foregoing, all other provisions
31 of Chapter 126, *Ordinance Code*, shall remain in full force and effect.

1 **Section 4. Waiver of Section 118.107, Ordinance Code.** The
2 provisions of Section 118.107 (Nonprofits to receive funding through
3 a competitive evaluated award process), Part 1 (General Provisions),
4 Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow
5 for a direct contract with MLK Foundation. This waiver is justified
6 because MLK Foundation has coordinated the MLK Holiday Grand Parade
7 and MLK Day festivities in Jacksonville for a number of years. This
8 event honors the memory and legacy of Dr. Martin Luther King, Jr.,
9 one of the most important historical figures of the 20th century. The
10 Parade and MLK Day festivities are held annually as a means to promote
11 and further the ideals and philosophy of this internationally renowned
12 leader.

13 **Section 5. Waiver of Section 118.301(a) (3) (iv), Ordinance**
14 **Code.** The provisions of Section 118.301(a) (3) (iv) (Expenditure of
15 Appropriated Funds), Part 3 (Administration of City Grants), Chapter
16 118 (City Grants), *Ordinance Code*, are hereby waived to authorize use
17 of the City funds appropriated herein to be expended for costs of
18 amusements, social activities and incidental costs relating thereto,
19 such as meals, beverages, lodging, rentals, transportation and
20 gratuities. This waiver is justified because the City funds will be
21 expended to support the MLK Holiday Grand Parade which is a form of
22 amusement and social activity that has become an important tradition
23 in Jacksonville to bring the community together to honor the legacy
24 of Dr. Martin Luther King, Jr.

25 **Section 6. Approval and Authorization to Execute.** There is
26 hereby approved, and the Mayor, or her designee, and the Corporation
27 Secretary are hereby authorized to execute and deliver on behalf of
28 the City a grant agreement with The Dr. Martin Luther King, Jr.
29 Memorial Foundation, Incorporated in an amount not-to-exceed \$25,000,
30 subject to the Term Sheet and Budget more particularly described in
31 **Exhibit 2**, for a term commencing on October 1, 2024 through September

1 30, 2025, and all other contracts and documents, including extensions,
2 renewals and amendments to the agreement, and to otherwise take all
3 action necessary to effectuate the intent of this Ordinance, subject
4 to appropriate legal review and approval by the General Counsel, or
5 his or her designee, and the City's Risk Management Division for
6 appropriate insurance and indemnification requirements in accordance
7 with Section 128.601, *Ordinance Code*.

8 **Section 7. Oversight Department.** The Grants and Contract
9 Compliance Division of the Finance Department shall oversee the grant
10 described herein.

11 **Section 8. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

14
15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Mary E. Staffopoulos

20 GC-#1657711-v1-2024-803-E.docx