

1 Introduced by Council President Hazouri:
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4 **ORDINANCE 2020-511**

5 AN ORDINANCE APPROPRIATING \$28,844,956 FROM
6 SPECIAL COUNCIL CONTINGENCY - KHA TO THE KIDS
7 HOPE ALLIANCE (KHA); PROVIDING FOR THE KIDS HOPE
8 ALLIANCE BOARD COMPREHENSIVE BUDGET TRANSFER
9 POWERS; PROVIDING FOR WAIVER OF SECTION 77.113
10 (ANNUAL OPERATING BUDGET; BUDGET TRANSFERS),
11 CHAPTER 77 (KIDS HOPE ALLIANCE), *ORDINANCE CODE*,
12 AND SECTION 106.304 (MAYOR'S TRANSFER POWER),
13 CHAPTER 106 (BUDGET AND ACCOUNTING CODE),
14 *ORDINANCE CODE*, TO ALLOW FOR BUDGET TRANSFERS
15 WITHIN THE PLAN; APPROVING AND AUTHORIZING
16 EXECUTION OF DOCUMENTS BY THE MAYOR OR HIS
17 DESIGNEE AND CORPORATION SECRETARY; AUTHORIZING
18 APPROVAL OF TECHNICAL AMENDMENTS BY THE CHIEF
19 EXECUTIVE OFFICER OF THE KHA; AUTHORIZING THE
20 OFFICE OF GENERAL COUNSEL AND THE COUNCIL
21 AUDITOR'S OFFICE TO MAKE ALL CHANGES NECESSARY
22 TO EFFECTUATE THE COUNCIL'S ACTION; PROVIDING AN
23 EFFECTIVE DATE.
24

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

26 **Section 1. Appropriation.** For the 2020-2021 fiscal year,
27 within the City's budget, there are hereby appropriated the indicated
28 sum(s) from the account(s) listed in subsection (a) to the account(s)
29 listed in subsection (b):

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

1 (a) Appropriated from:
2 See **Exhibit 1** \$28,844,956

3 (b) Appropriated to:
4 See **Exhibit 1** \$28,844,956

5 (c) **Explanation of Appropriation:** the appropriation above
6 is appropriating \$28,844,956 from Special Council
7 Contingency - KHA to the Kids Hope Alliance for
8 subsidies and contributions to private organizations.

9 **Section 2. Kids Hope Alliance Board Comprehensive Budget**
10 **Transfer Powers.** The Kids Hope Alliance Board fiscal year 2020-2021
11 budget of \$28,844,956 for subsidies and contributions to private
12 organizations comprised of federal, state, City and private funding,
13 is herein appropriated as provided below:

14 (a) **Grants Received by Kids Hope Alliance.** The Kids Hope
15 Alliance is authorized and directed to follow the grant approval
16 process as outlined in Section 1.3 (e)(1)&(2) in the City Budget
17 Ordinance, 2020-504-E.

18 (b) **Kids Hope Alliance Board transfer authority within the**
19 **Plan.** The Kids Hope Alliance Board is authorized to transfer,
20 through a transfer directive, (i) appropriations within each of the
21 Essential Services Plan Categories; and (ii) appropriations between
22 Essential Services Plan Categories. There shall be provided to the
23 Council Auditor, the Council Finance Committee, and the Mayor's Budget
24 Review Committee at the end of each quarter a report detailing all
25 transfers made during that quarter.

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

1 in the grant awards for the following grants received: Department of
2 Health & Human Services (SAMHSA) - Grant; and Criminal Justice
3 Reinvestment Grant, as shown in Schedule M attached hereto as **Exhibit**
4 **2** and incorporated herein by this reference. Pursuant to Section
5 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
6 (Procurement Code), *Ordinance Code*, such services are exempted from
7 competitive solicitation because the services to be provided are
8 being approved via authorizing legislation pursuant to this
9 ordinance.

10 **(d) Approval and authorization to execute agreements and**
11 **invoking the exception to Section 126.107(g), Ordinance Code, for**
12 **Full Service School Providers.** As shown in Schedule M attached
13 hereto as **Exhibit 2** and incorporated herein by this reference, the
14 Mayor, or his designee, the Corporation Secretary, and/or the Chief
15 Executive Officer of the Kids Hope Alliance ("CEO") are hereby
16 authorized to (i) execute contract extensions with the following
17 special needs program providers: Jewish Family & Community Services,
18 Inc., Children's Home Society of Florida, Inc., Child Guidance Center,
19 Inc., and Daniel Memorial, Inc., for the period from October 1, 2020
20 through June 30, 2021, and subject to the same terms and conditions
21 of the existing contracts and (ii) execute a contract with the United
22 Way of Northeast Florida, Inc. for full service schools special needs
23 children's services programming for the period from July 1, 2021
24 through June 30, 2022. Pursuant to Section 126.107(g) (Exemptions),
25 Part 1 (General Regulations), Chapter 126 (Procurement Code),
26 *Ordinance Code*, such services are exempted from competitive
27 solicitation because the services to be provided are being approved
28 via authorizing legislation pursuant to this ordinance.

29 **(e) Approval and authorization to execute a direct contract with**
30 **Early Learning Coalition of Duval, Inc. for Early Learning**
31 **Programming; Invoking the exception to Section 126.107(g), Ordinance**

1 **Code.** The Kids Hope Alliance is hereby authorized to procure
2 children's services for early learning programming from Early
3 Learning Coalition of Duval, Inc. in the contract amount shown in
4 Schedule M attached hereto as **Exhibit 2** and incorporated herein by
5 this reference. Pursuant to Section 126.107(g) (Exemptions), Part 1
6 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
7 *Code*, such services are exempted from competitive solicitation
8 because the children's services to be provided by the specified
9 providers are being appropriated and approved in this authorizing
10 legislation. The Mayor, or his designee, the Corporation Secretary,
11 and/or the Chief Executive Officer of the Kids Hope Alliance ("CEO")
12 are hereby authorized to execute a contract with Early Learning
13 Coalition of Duval, Inc. for the children's services program shown
14 in Schedule M attached hereto as **Exhibit 2**.

15 **(f) Approval and authorization to execute a direct contract with**
16 **Jacksonville Alliance for KIPP Schools for Extended Hours Enhancement**
17 **Programs and a direct contract with Communities in Schools of**
18 **Jacksonville for an Afterschool Program; Invoking the exception to**
19 **Section 126.107(g) , *Ordinance Code*.** The Kids Hope Alliance is hereby
20 authorized to procure children's services for extended hours
21 enhancement programs from Jacksonville Alliance for KIPP Schools and
22 to procure children's services for an afterschool program from
23 Communities in Schools of Jacksonville in the contract amounts as
24 shown in Schedule M attached hereto as **Exhibit 2** and incorporated
25 herein by this reference. Pursuant to Section 126.107(g)
26 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
27 Code), *Ordinance Code*, such services are exempted from competitive
28 solicitation because the children's services to be provided by the
29 specified providers are being appropriated and approved in this
30 authorizing legislation. The Mayor, or his designee, the Corporation
31 Secretary, and/or the Chief Executive Officer of the Kids Hope

1 Alliance ("CEO") are hereby authorized to execute contracts with
2 Jacksonville Alliance for KIPP Schools and Communities in Schools of
3 Jacksonville for such children's services programs as shown in
4 Schedule M attached hereto as **Exhibit 2**.

5 **(g) Approval and authorization to execute a direct contract with**
6 **Goodwill Industries of North Florida, Inc. for leadership development**
7 **programming for the Mayor's Young Leaders Advisory Council; Invoking**
8 **the exception to Section 126.107(g), Ordinance Code.** The Kids Hope
9 Alliance is hereby authorized to procure children's services for
10 leadership development programming from Goodwill Industries of North
11 Florida, Inc. in the contract amount shown in Schedule M attached
12 hereto as **Exhibit 2** and incorporated herein by this reference.
13 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
14 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such
15 services are exempted from competitive solicitation because the
16 children's services to be provided by Goodwill Industries of North
17 Florida, Inc. are being appropriated and approved in this authorizing
18 legislation. The Mayor, or his designee, the Corporation Secretary,
19 and/or the Chief Executive Officer of the Kids Hope Alliance ("CEO")
20 are hereby authorized to execute a contract with Goodwill Industries
21 of North Florida, Inc. for such children's services program as shown
22 in Schedule M attached hereto as **Exhibit 2**.

23 **(h) Approval and authorization to execute a direct contract with**
24 **Angels for Allison for children's services for children's burial cost**
25 **reimbursement; Invoking the exception to Section 126.107(g),**
26 **Ordinance Code.** The Kids Hope Alliance is hereby authorized to
27 procure children's services for children's burial cost reimbursement
28 from The Allison Brundick Haramis Foundation, Inc., doing business
29 as Angels for Allison ("Angels for Allison"), in the contract amount
30 shown in Schedule M attached hereto as **Exhibit 2** and incorporated
31 herein by this reference. Pursuant to Section 126.107(g)

1 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
2 Code), *Ordinance Code*, such services are exempted from competitive
3 solicitation because the children's services to be provided by Angels
4 for Allison are being appropriated and approved in this authorizing
5 legislation. The Mayor, or his designee, the Corporation Secretary,
6 and/or the Chief Executive Officer of the Kids Hope Alliance ("CEO")
7 are hereby authorized to execute a contract with Angels for Allison
8 for such children's services program as shown in Schedule M attached
9 hereto as **Exhibit 2**.

10 **(i) Approval and authorization to execute a direct contract with**
11 **Northeast Florida Healthy Start Coalition, Inc. for special needs**
12 **children's services to reduce infant mortality; Invoking the**
13 **exception to Section 126.107(g), Ordinance Code.** The Kids Hope
14 Alliance is hereby authorized to procure special needs children's
15 services to reduce infant mortality from Northeast Florida Healthy
16 Start Coalition, Inc. in the contract amount shown in Schedule M
17 attached hereto as **Exhibit 2** and incorporated herein by this
18 reference. Pursuant to Section 126.107(g) (Exemptions), Part 1
19 (General Regulations), Chapter 126 (Procurement Code), *Ordinance*
20 *Code*, such services are exempted from competitive solicitation
21 because the children's services to be provided by Northeast Florida
22 Healthy Start Coalition, Inc. are being appropriated and approved in
23 this authorizing legislation. The Mayor, or his designee, the
24 Corporation Secretary, and/or the Chief Executive Officer of the Kids
25 Hope Alliance ("CEO") are hereby authorized to execute a contract
26 with Northeast Florida Healthy Start Coalition for such children's
27 services program as shown in Schedule M attached hereto as **Exhibit**
28 **2**.

29 **(j) Waiver of the provisions in Chapter 77 (Kids Hope Alliance),**
30 **Section 77.111(a) (Provider Contracts).** The City hereby waives the
31 provisions in Chapter 77 (Kids Hope Alliance), Section

1 77.111(a) (Provider Contracts) with respect to the contracts approved
2 and authorized herein. Section 77.111(a) requires contracts for
3 children's services to be competitively procured by KHA via an
4 evaluated bid process. The waiver is needed in order to allow the
5 Kids Hope Alliance to enter into direct contracts to expeditiously
6 provide these children's services without the delay involved in a
7 competitive procurement.

8 **Section 3. Waiver of Section 77.113 (Annual operating**
9 **budget; budget transfers), Chapter 77 (Kids Hope Alliance), Ordinance**
10 **Code, and Section 106.304 (Mayor's Transfer Power), Chapter 106**
11 **(Budget and Accounting Code), Ordinance Code.** Section 77.113 (Annual
12 operating budget; budget transfers), *Ordinance Code*, regarding the
13 Kids Hope Alliance budget transfer authority and Section 106.304
14 (Mayor's Transfer Power), Chapter 106 (Budget and Accounting Code),
15 *Ordinance Code*, regarding the Mayor's transfer authority are hereby
16 waived. The provisions for Kids Hope Alliance budget transfers are
17 permitted by compliance with Section 2(b) herein of this ordinance.

18 **Section 4. Further Authorizations.** The Mayor, or his
19 designee, and the Corporation Secretary, are hereby authorized to
20 execute Agreements and all other contracts and documents and otherwise
21 take all necessary action in connection therewith and herewith. The
22 Chief Executive Officer of the Kids Hope Alliance is authorized to
23 negotiate and execute all necessary changes and amendments to the
24 Agreement and other contracts and documents, to effectuate the
25 purposes of this Ordinance, without further Council action, provided
26 such changes and amendments are limited to amendments that are
27 technical in nature, and further provided that all such amendments
28 shall be subject to appropriate legal review and approval by the
29 General Counsel, or his or her designee, and all other appropriate
30 official action required by law. "Technical" is herein defined as
31 including, but not limited to, changes in legal descriptions and

1 surveys, descriptions of infrastructure improvements and/or any road
2 project, ingress and egress, easements and rights of way, performance
3 schedules (provided that no performance schedule may be extended for
4 more than one year without Council approval) design standards, access
5 and site plan, which have no financial impact.

6 **Section 5. OGC and Council Auditor's Office Authorization.**

7 The Office of General Counsel and the Council Auditor's Office are
8 hereby authorized to make all changes to titles, tables of content,
9 Ordinance Code, journal entries, schedules, attachments, editorial
10 and text changes consistent with the changes set forth herein to
11 Ordinance 2020-504 and Ordinance 2020-511 to effectuate the Council's
12 action.

13 **Section 6. Effective Date.** This ordinance shall become

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

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17 Form Approved:

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19 /s/ Margaret M. Sidman

20 Office of General Counsel

21 Legislation prepared by: Margaret M. Sidman

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