

1 Introduced by Council Member Freeman:
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4 **ORDINANCE 2021-81**

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

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

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

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

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

31 **Section 1. Agreement approved and execution authorized.**

1 There is hereby approved, and the Mayor, or his designee, and
2 Corporation Secretary are hereby authorized to execute and deliver,
3 the Funding Agreement between the City of Jacksonville and Hearts 4
4 Minds, Inc., in substantially the form as attached hereto as **Exhibit**
5 **1**, and incorporated herein by this reference (the "Agreement"). The
6 Agreement may include such additions, deletions and changes as may
7 be reasonable, necessary and incidental for carrying out the purposes
8 thereof, as may be acceptable to the Mayor, or his designee, with
9 such inclusion and acceptance being evidenced by execution of the
10 Agreement by the Mayor, or his designee; provided however, no
11 modification to the Agreement may increase the financial obligations
12 or liability of the City to an amount in excess of the amount stated
13 in the Agreement or decrease the duties and obligations of Hearts 4
14 Minds, Inc. as stated in the Agreement, and any such modification
15 shall be technical only and shall be subject to appropriate legal
16 review and approval by the Office of General Counsel. For the purposes
17 of this Ordinance, the term "technical changes" is defined as those
18 changes having no financial impact to the City and any other non-
19 substantive changes that do not substantively increase the duties and
20 responsibilities of the City under the provisions of the Agreement.

21 **Section 2. Invoking the exception to Section 126.107(g),**
22 **Ordinance Code.** The City is hereby authorized to procure the use of
23 the professional services of Hearts 4 Minds, Inc., to provide services
24 for a mental health mural campaign. Pursuant to Section 126.107(g)
25 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
26 Code), *Ordinance Code*, such procurement is exempted from competitive
27 solicitation because the supplies or services are to be provided by
28 those specifically prescribed within authorizing legislation that
29 appropriates the same. With the exception of the foregoing, all other
30 provisions of Chapter 126, *Ordinance Code*, shall remain in full force
31 and effect.

1 **Section 3. Waiving Section 110.112, Ordinance Code.** Section
2 110.112 (Advance of City funds; prohibition against), Part 1 (The
3 City Treasury), Chapter 110 (City Treasury), *Ordinance Code*, is hereby
4 waived to allow for a partial advance payment as described in the
5 Agreement.

6 **Section 4. Oversight.** The Mayor is requested to appoint the
7 Office of Public Affairs to oversee the project in Section 1 above
8 and to ensure compliance with all other appropriate laws.

9 **Section 5. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

12 Form Approved:

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14 /s/ Margaret M. Sidman

15 Office of General Counsel

16 Legislation prepared by: Margaret M. Sidman

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