

1 Introduced by Council Member DeFoor:
2
3

4 **ORDINANCE 2021-351**

5 AN ORDINANCE APPROPRIATING \$20,000 FROM THE
6 SOCIAL JUSTICE AND COMMUNITY INVESTMENT
7 SPECIAL COMMITTEE CONTINGENCY FOR THE LITERACY
8 PROS OF JACKSONVILLE, INC. CITYWIDE READING
9 CAMPAIGN; APPROVING, AND AUTHORIZING THE
10 MAYOR, OR HIS DESIGNEE, AND CORPORATION
11 SECRETARY TO EXECUTE AND DELIVER, AN AGREEMENT
12 BETWEEN THE CITY OF JACKSONVILLE AND LITERACY
13 PROS OF JACKSONVILLE, INC.; INVOKING THE
14 EXCEPTION IN SECTION 126.107(G), *ORDINANCE*
15 *CODE*, TO ALLOW DIRECT CONTRACT WITH LITERACY
16 PROS OF JACKSONVILLE, INC. TO A LITERACY
17 CAMPAIGN; WAIVING SECTION 110.112 (ADVANCE OF
18 CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE
19 CITY TREASURY), CHAPTER 110 (CITY TREASURY),
20 *ORDINANCE CODE*, TO ALLOW FOR A PARTIAL ADVANCE
21 PAYMENT BY THE CITY; PROVIDING FOR OVERSIGHT
22 BY THE OFFICE OF PUBLIC AFFAIRS; PROVIDING AN
23 EFFECTIVE DATE.
24

25 **WHEREAS**, since 2003, Literacy Pros of Jacksonville, Inc.
26 (Literacy Pros) has been in the vanguard in eradicating illiteracy
27 by providing tools that have enhanced the lives of many and, in
28 turn, strengthened our communities and City; and

29 **WHEREAS**, initially, with six Learn to Read tutors, Literacy
30 Pros embarked on a commitment to combat illiteracy. Groups like
31 Learn to Read were organized in churches, businesses and social

1 organizations to identify and train volunteers as tutors; and

2 **WHEREAS,** in 2013, Literacy Pros partnered with the
3 Jacksonville Sheriff's Office to provide literacy workshops for
4 inmates. Beginning with literacy workshops at the Community
5 Transitional Center, Literacy Pros has helped hundreds of inmates
6 learn how to read and, in doing so, made a difference in the lives
7 of inmates and their families, lowered the rate of recidivism and
8 provided a pathway toward productive citizenship; and

9 **WHEREAS,** as Literacy Pros of Jacksonville, Inc. seeks to have
10 a greater outreach to inspire young people to discover the life
11 expanding opportunities through reading and seeks to do so through
12 a city wide campaign; now therefore

13 **BE IT ORDAINED** by the Council of the City of
14 Jacksonville:

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

19 (The account information is attached hereto as **Exhibit 1**, and
20 incorporated herein by this reference)

21 (a) Appropriated from:

22 See attached **Exhibit 1** \$20,000

23 (b) Appropriated to:

24 See attached **Exhibit 1** \$20,000

25 (c) **Explanation of Appropriation** - The funding above is being
26 appropriated from the Social Justice and Community
27 Investment Special Committee Contingency and to be
28 utilized by Literacy Pros of Jacksonville, Inc. the
29 conduct a city-wide campaign.

30 **Section 2. Purpose.** The purpose of the appropriation in
31 Section 1 is to provide funding for the Literacy Pros of

1 Jacksonville, Inc. #YRead campaign, as more fully described in
2 **Exhibit 2** attached hereto.

3 **Section 3. Agreement approved and execution authorized.**

4 There is hereby approved, and the Mayor, or his designee, and
5 Corporation Secretary are hereby authorized to execute and deliver,
6 the Marketing Services Agreement between the City of Jacksonville
7 and Literacy Pros of Jacksonville, Inc., in substantially the form
8 as attached hereto as **Exhibit 3**, and incorporated herein by this
9 reference (the "Agreement"). The Agreement may include such
10 additions, deletions and changes as may be reasonable, necessary
11 and incidental for carrying out the purposes thereof, as may be
12 acceptable to the Mayor, or his designee, with such inclusion and
13 acceptance being evidenced by execution of the Agreement by the
14 Mayor, or his designee; provided however, no modification to the
15 Agreement may increase the financial obligations or liability of
16 the City to an amount in excess of the amount stated in the
17 Agreement or decrease the duties and obligations of Literacy Pros
18 of Jacksonville, Inc. as stated in the Agreement, and any such
19 modification shall be technical only and shall be subject to
20 appropriate legal review and approval by the Office of General
21 Counsel and the City's Risk Management Division for appropriate
22 insurance and indemnification requirements in accordance with
23 Section 128.601, *Ordinance Code*. For the purposes of this
24 Ordinance, the term "technical changes" is defined as those changes
25 having no financial impact to the City and any other non-
26 substantive changes that do not substantively increase the duties
27 and responsibilities of the City under the provisions of the
28 Agreement.

29 **Section 4. Invoking the exception to Section 126.107(g),**
30 **Ordinance Code.** The City is hereby authorized to procure the use of
31 the professional services of Literacy Pros of Jacksonville, Inc.,

1 to provide services for a literacy and reading marketing campaign.
2 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
3 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such
4 procurement is exempted from competitive solicitation because the
5 supplies or services are to be provided by those specifically
6 prescribed within authorizing legislation that appropriates the
7 same. With the exception of the foregoing, all other provisions of
8 Chapter 126, *Ordinance Code*, shall remain in full force and effect.

9 **Section 5. Waiving Section 110.112, Ordinance Code.**

10 Section 110.112 (Advance of City funds; prohibition against), Part
11 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
12 is hereby waived to allow for a partial advance payment as
13 described in the Agreement.

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

17 **Section 7. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

20
21 Form Approved:

22
23 /s/ Margaret M. Sidman

24 Office of General Counsel

25 Legislation prepared by: Margaret M. Sidman

26 GC-#1432567-v2-SJCI_-_DeFoor_Literacy_Pro.docx
27
28
29
30
31

1
2
3
4