



OFFICE OF THE MAYOR

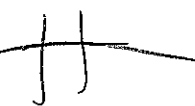
DONNA DEEGAN
MAYOR

CITY HALL SUITE 400
117 W. DUVAL STREET
JACKSONVILLE, FL 32202

Walk-up
13
3-24-25

MEMORANDUM

TO: Karen Bowling, Chief Administrative Officer

FROM: Joesph Inderhees, Deputy Chief of Staff on behalf of Mayor Deegan 

DATE: March 21, 2025

SUBJECT: Proposed Legislation to Amend Section 118.107

Summary:

The Mayor desires to file legislation amending Section 118.107 of the City's Ordinance Code, which governs how nonprofit organizations receive city funding. The modifications to this section will expand transparency in governance. Key provisions include:

- Requirements, including a detailed explanation of the necessity of the direct contract and an affidavit disclosing familial and business connections of elected officials to the receiving nonprofit.
- If such a connection exists, required actions for public noticing of the funding opportunity, implementing safeguards comparable to those found in the competitive bidding process in Chapter 126 of the Ordinance Code.
- Any waiver of these requirements requires a two-thirds vote of council members present.

This amendment strengthens transparency and oversight in nonprofit funding while allowing waivers under specific, regulated conditions.

1 Introduced by the Council President at the request of the Mayor:

3 ORDINANCE 2025-

4 AN ORDINANCE AMENDING SECTION 118.107
5 (NONPROFITS TO RECEIVE FUNDING THROUGH A
6 COMPETITIVE EVALUATED AWARD PROCESS; WAIVER AND
7 DISCLOSURES), PART 1 (GENERAL PROVISIONS),
8 CHAPTER 118 (CITY GRANTS), *ORDINANCE CODE*, TO
9 ESTABLISH WAIVER AND DISCLOSURE REQUIREMENTS;
10 PROVIDING FOR CODIFICATION INSTRUCTIONS;
11 PROVIDING AN EFFECTIVE DATE.

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

14 Section 1. Amending Section 118.107 (Nonprofits to receive
15 funding through a competitive evaluated award process; waiver and
16 disclosures), Part 1 (General Provisions), Chapter 118 (City Grants),
17 *Ordinance Code*. Section 118.107 (Nonprofits to receive funding
18 through a competitive evaluated award process; waiver and
19 disclosures), Part 1 (General Provisions), Chapter 118 (City Grants),
20 *Ordinance Code*, is hereby amended to read as follows:

21 CHAPTER 118 - CITY GRANTS

22 PART 1 - GENERAL PROVISIONS

23 * * *

24 Sec. 118.107. - Nonprofits to receive funding through a competitive
25 evaluated award process; waiver and disclosures.

26 (a) Except as provided for in Section 118.106 above, all City
27 funds appropriated to nonprofit organizations shall be
28 subject to a competitive evaluated award process under
29 Chapters 118 or 126, *Ordinance Code*, as applicable. A
30 "competitive evaluated award process" means that funding

1 shall be competitively procured under the procedures set
2 forth in Parts 6 or 8, Chapter 118, or Part 3, Chapter
3 126, Ordinance Code, via an evaluated bid process as
4 outlined therein. This provision is specifically not
5 intended to prevent the use of Section ~~126.017~~ 126.108
6 (a), (b), (c), (d), (e), (f) or (h), Ordinance Code, or
7 single source procurement or noncompetitive purchases
8 under Sections 126.206 and 126.312, Ordinance Code.

9 ~~However, the use of Section 126.107(g), Ordinance Code,~~
10 ~~to direct contract with nonprofits would require a waiver~~
11 ~~of this Section 118.107 with a detailed explanation as to~~
12 ~~why the direct contract with the nonprofit is necessary.~~

13 (b) Any waiver of subsection (a) above shall require:

14 (1) a detailed explanation as to why the direct contract
15 with the nonprofit is necessary,

16 (2) filing by the nonprofit of an affidavit, in a form
17 approved by the Office of General Counsel, that
18 indicates whether the Mayor or a Council Member, or
19 the spouse or children of the Mayor or a Council
20 Member, is or is not employed by the nonprofit
21 organization or serves on the nonprofit Board of
22 Directors, prior to filing of any legislation.
23 Failure to submit an accurate affidavit shall cause
24 the award to be voidable by the City. The affidavit
25 shall be attached to the filed legislation.

26 (3) If a connection listed in subsection (2) above is
27 listed, publication at the time of filing the
28 legislation of a notice on the City website for at
29 least 2 weeks stating that the City is considering a

1 direct contract and will accept other proposals for
2 the same project or service. Any proposals received
3 by the City shall be reviewed by the Council prior
4 to action on the legislation.

5 (c) Waiver of subsection (a) of this section or any of the
6 requirements in subsection (b) of this section shall
7 require approval of two-thirds of the Council members
8 present.

9 **Section 2. Codification Instructions.** The Codifier and the
10 Office of General Counsel are authorized to make all chapter and
11 division "tables of contents" consistent with the changes set forth
12 herein. Such editorial changes and any others necessary to make the
13 *Ordinance Code* consistent with the intent of this legislation are
14 approved and directed herein, and changes to the *Ordinance Code* shall
15 be made forthwith and when inconsistencies are discovered.

16 **Section 3. Effective Date.** This Ordinance shall become
17 effective upon signature by the Mayor or upon becoming effective
18 without the Mayor's signature.

19
20 Form Approved:

21
22 _____
23 Office of General Counsel
24 Legislation Prepared By: Dylan Reingold

25 GC-#1675421-v1-Nonprofit_Policy_.docx

LEGISLATIVE FACT SHEET

DATE: 03/18/25

BT or RC No: _____
(Administration & City Council Bills)

SPONSOR: Office of the Mayor
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Office of the Mayor

Provide Name: Brittany Norris

Contact Number: 255-5032

Email Address: bnorris@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

The Mayor desires to file legislation amending Section 118.10 of the City's Ordinance Code, which governs how nonprofit organizations receive city funding. The modifications to this section are necessary to align with current administrative priorities and ensure more transparent governance.

APPROPRIATION: Total Amount Appropriated: N/A as follows:

List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.
 (Minimum of 350 words - Maximum of 1 page.)

No funding is required or attached to this legislation.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

FS 195.087

Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Attachment: If yes, attach appropriate RC/BT form(s).

Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

Legislation amends Section 118.10 of the City's Ordinance Code.

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?
Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate form(s).
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating reports.

BUSINESS IMPACT ESTIMATE

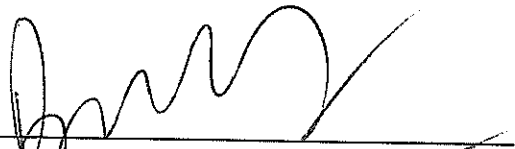
Pursuant to Section 166.041(4), F.S., the City is required to prepare a Business Impact Estimate for ordinances that are NOT exempt from this requirement.

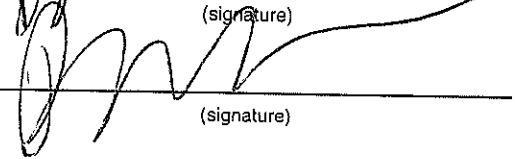
A list of ordinance exemptions are provided below. Please check all exemption boxes that apply to this ordinance. If an exemption is applicable, a Business Impact Estimate IS NOT required.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement;
- The proposed ordinance is enacted to implement any of the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code;
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If none of the boxes above are checked, then a Business Impact Estimate IS REQUIRED to be prepared by the using agency/office/department and submitted in the MBRC filing packet along with the memorandum request, legislative fact sheet, etc. A Business Impact Estimate form can be found at:

<https://www.coj.net/departments/finance/budget/mayor-s-budget-review-committee>

Division Chief: 
(signature)

Prepared By: 
(signature)

Date: 3/21/2025

Date: 3/21/2025

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o the Budget Office, St. James Suite 325

Thru: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
(Name, Job Title, Department)
Phone: 255-5000 E-mail: BNorris@coj.net

From: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Initiating Department Representative (Name, Job Title, Department)
Phone: 255-5000 E-mail: BNorris@coj.net

Primary Contact: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
(Name, Job Title, Department)
Phone: 255-5000 E-mail: BNorris@coj.net

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5000 E-mail: BNorris@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Mary Staffopoulos, Office of General Counsel, St. James Suite 480
Phone: 904-255-5062 E-mail: mstaff@coj.net

From: Mayor Deegan
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
(Name, Job Title, Department)
Phone: 255-5024 E-mail: bnorris@coj.net

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5024 E-mail: bnorris@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No
Boards Action / Resolution? Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

Business Impact Estimate

This form must be posted on the City of Jacksonville's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Legislation amending Section 118.107 of the City's Ordinance Code, which governs how nonprofit organizations receive city funding

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Modifications to Section 118.107 will expand transparency in governance.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Jacksonville, if any: (a) An estimate of direct compliance costs that businesses may reasonably incur; (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and (c) An estimate of the City of Jacksonville's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There is no direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Jacksonville.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed

There is no direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Jacksonville.

4. Additional information the governing body deems useful (if any):