

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-868**

5 APPROVING, AND AUTHORIZING THE MAYOR, OR HER
6 DESIGNEE, AND THE CORPORATION SECRETARY TO
7 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
8 CITY OF JACKSONVILLE ("CITY"), THAT CERTAIN
9 REVOCABLE PERMIT AND HOLD HARMLESS AGREEMENT
10 ("AGREEMENT") BETWEEN THE CITY, JACKSONVILLE
11 UNIVERSITY, AND OCEARCH FOR THE USE OF A CITY
12 OWNED DOCK FACILITY IN THE MAYPORT COMMUNITY ON
13 SUBMERGED LANDS LEASED PURSUANT TO THE
14 SOVEREIGNTY SUBMERGED LANDS LEASE (BOT FILE
15 #160359172) AUTHORIZED BY ORDINANCE 2022-0215-
16 E, FOR THE DOCKING OF VESSELS USED FOR RESEARCH
17 AND EDUCATIONAL PURPOSES, WITH AN INITIAL TERM
18 OF THIRTY YEARS, WITH FOUR FIVE-YEAR RENEWAL
19 OPTIONS, WITH NO USAGE FEE; PROVIDING FURTHER
20 AUTHORIZATIONS; PROVIDING FOR OVERSIGHT BY THE
21 PARKS, RECREATION AND COMMUNITY SERVICES
22 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

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

25 **Section 1. Revocable Permit and Hold Harmless Agreement**

26 **Approved and Execution Authorized.** There is hereby approved, and the
27 Mayor, or her designee, and the Corporation Secretary are hereby
28 authorized to execute and deliver, for and on behalf of the City of
29 Jacksonville ("City"), that certain Revocable Permit and Hold
30 Harmless Agreement between the City, Jacksonville University ("JU")
31 and OCEARCH in substantially the form placed **On File** with the

1 Legislative Services Division (the "Agreement"). Said Agreement
2 authorizes JU and OCEARCH, a global non-profit organization
3 conducting shark research, to use and access a City owned dock
4 facility ("Mayport Dock") in the Mayport community located on
5 submerged lands leased pursuant to the Sovereignty Submerged Lands
6 Lease (BOT File #160359172) ("Submerged Land Lease") authorized by
7 Ordinance 2022-0215-E for an initial term of thirty years, with four
8 five-year renewal options, with no usage fee, for the docking of
9 vessels used for research and educational purposes. JU currently
10 leases from the City waterfront property adjacent to the Mayport Dock
11 and located at 4610 Ocean Street for educational and outreach
12 programming in partnership with OCEARCH pursuant to a lease authorized
13 by Ordinance 2019-130-E.

14 **Section 2. Further Authorizations.** The Agreement may
15 include such additions, deletions and changes as may be reasonable,
16 necessary and acceptable to the Mayor, or her designee, with such
17 inclusion and acceptance being evidenced by execution of the Agreement
18 by the Mayor, or her designee; provided however, no modification to
19 the Agreement may increase the financial obligations or liability of
20 the City to an amount in excess of the amount stated in the Agreement
21 or decrease the duties and obligations of JU or OCEARCH as stated in
22 the Agreement, and any such modifications shall be technical only and
23 shall be subject to appropriate legal review and approval by the
24 Office of General Counsel. For the purposes of this Ordinance, the
25 term "technical changes" is defined as those changes having no
26 financial impact to the City, changes required for compliance with
27 the terms and conditions of the Submerged Land Lease, and any other
28 non-substantive changes that do not substantively increase the duties
29 and responsibilities of the City under the provisions of the
30 Agreement.

31 **Section 3. Oversight Department.** The Parks, Recreation and

1 Community Services Department shall oversee administration of the
2 Agreement and project described herein.

3 **Section 4. Effective Date.** This Ordinance shall become
4 effective upon signature by the Mayor or upon becoming effective
5 without the Mayor's signature.

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7 Form Approved:

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9 /s/ Joelle J. Dillard

10 Office of General Counsel

11 Legislation Prepared By: Joelle J. Dillard

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