

1 Introduced by Council Member Gay:
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4 **ORDINANCE 2025-727**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE
6 MAYOR, OR HER DESIGNEE, AND THE CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER, FOR AND ON
8 BEHALF OF THE CITY, A FIRST AMENDMENT TO
9 AGREEMENT FOR SALE AND PURCHASE BETWEEN CITY OF
10 JACKSONVILLE AND THE HARBOUR WATERWAY SPECIAL
11 DISTRICT (THE "DISTRICT") IN ORDER TO EXTEND THE
12 TIME FOR COMPLETION OF THE DISTRICT'S
13 PERFORMANCE OBLIGATIONS FROM THREE (3) YEARS TO
14 SIX (6) YEARS, AS ESTABLISHED IN THE ORIGINAL
15 AGREEMENT FOR SALE AND PURCHASE; PROVIDING FOR
16 CONTINUED OVERSIGHT BY THE PARKS, RECREATION AND
17 COMMUNITY SERVICES DEPARTMENT; PROVIDING AN
18 EFFECTIVE DATE.
19

20 **WHEREAS**, effective as of June 30, 2023 and as previously
21 authorized by Ordinance 2023-351-E (the "Ordinance"), City and the
22 Harbour Waterway Special District (the "District") entered into an
23 Agreement for Sale and Purchase (the "Original Agreement"), attached
24 hereto as **Exhibit 1**, pursuant to which the City conveyed certain real
25 property to the District for the development of a park and
26 conservation area, open and available to the general public in
27 perpetuity (the "Park Property"); and

28 **WHEREAS**, as consideration for the conveyance, the District
29 agreed to undertake certain performance obligations related to the
30 Park Property, with completion required within three (3) years of the
31 date the Park Property was conveyed to the District; and

1 **WHEREAS,** in the interim since the adoption of the Ordinance,
2 JEA and JAXPORT announced their intent to begin construction of a
3 major project, estimated to require two to three years for completion,
4 for the purpose of elevating and partially relocating existing
5 electrical transmission lines and related towers (the "JEA Project"),
6 including on and over certain real property owned by the District
7 that is adjacent to the Park Property; and

8 **WHEREAS,** JEA has requested, and the District has agreed to
9 provide JEA with temporary use of and access through the Park Property
10 as required to enable JEA to construct and complete the JEA Project;
11 and

12 **WHEREAS,** the JEA Project will entail major construction
13 activities on the District's adjacent property as well as temporary
14 impacts on the Park Property which will be used as an access and
15 staging area for construction of the JEA Project; and

16 **WHEREAS,** although the three (3) year period allotted for the
17 District's completion of its performance obligations has not yet
18 expired, it is advisable now to extend the time for completion of
19 such obligations from three (3) years to six (6) years, as
20 memorialized in the proposed first amendment to the Original
21 Agreement, given the impacts to the Park Property and the District's
22 adjacent property arising from the JEA Project; now therefore

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

24 **Section 1. Approval and Authorization to Execute a First**
25 **Amendment.** There is hereby approved, and the Mayor, or her designee,
26 and the Corporation Secretary are hereby authorized to execute and
27 deliver, for and on behalf of the City, a First Amendment to Agreement
28 for Sale and Purchase Between City of Jacksonville and the Harbour
29 Waterway Special District (the "First Amendment"), in substantially
30 the same form as attached hereto as **Exhibit 2** to extend the time for
31 completion of the District's performance obligations under the

1 Original Agreement from three (3) years to six (6) years due to
2 expected impacts from the JEA Project.

3 **Section 2. Oversight Department.** The Parks, Recreation and
4 Community Services Department shall provide continued oversight and
5 administration of the Original Agreement and the First Amendment.

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

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10 Form Approved:

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12 /s/ Harry M. Wilson, IV

13 Office of General Counsel

14 Legislation Prepared By: Harry M. Wilson, IV

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