

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Member White and amended by the Neighborhoods,
3 Community Services, Public Health and Safety Committee:

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6 **ORDINANCE 2023-373-E**

7 AN ORDINANCE APPROPRIATING \$2,200,000 FROM THE
8 MARINE FIRE STATION NO. 68 (NEW) - DM OTHER
9 CONSTRUCTION COSTS ACCOUNT TO THE MARINE FIRE
10 STATION NO. 68 (NEW) - DM LAND ACCOUNT TO BE
11 USED FOR THE ACQUISITION BY THE CITY OF A 3.27±
12 ACRE PARCEL LOCATED AT 10562 SCOTT MILL ROAD,
13 JACKSONVILLE, FLORIDA (R.E. NO. 158834-0000) IN
14 COUNCIL DISTRICT 6, TO BE USED FOR THE NEW MARINE
15 FIRE STATION NO. 68, AS INITIATED BY B.T.
16 23-098; APPROVING AND AUTHORIZING THE MAYOR, OR
17 HER DESIGNEE, AND THE CORPORATION SECRETARY TO
18 EXECUTE AND DELIVER THAT CERTAIN REAL ESTATE
19 PURCHASE AGREEMENT (THE "AGREEMENT") BETWEEN THE
20 CITY OF JACKSONVILLE AND PHILLIP AND SUZANNE
21 NOE, AND ALL CLOSING AND OTHER DOCUMENTS
22 RELATING THERETO, AND TO OTHERWISE TAKE ALL
23 NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF
24 THE AGREEMENT TO PURCHASE THE SUBJECT PROPERTY
25 AT THE NEGOTIATED PURCHASE PRICE OF \$2,100,000;
26 AMENDING THE 2023-2027 FIVE-YEAR CAPITAL
27 IMPROVEMENT PLAN APPROVED BY ORDINANCE
28 2022-505-E TO REFLECT THIS TRANSFER OF FUNDS FOR
29 THE PURCHASE OF LAND FOR THE NEW MARINE FIRE
30 STATION NO. 68; PROVIDING FOR OVERSIGHT OF
31 ACQUISITION OF THE PROPERTY BY THE REAL ESTATE

1 DIVISION OF THE DEPARTMENT OF PUBLIC WORKS, AND
2 OVERSIGHT THEREAFTER BY THE JACKSONVILLE FIRE
3 AND RESCUE DEPARTMENT; PROVIDING AN EFFECTIVE
4 DATE.

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

7 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
8 within the City's budget, there is hereby appropriated the indicated
9 sum(s) from the account(s) listed in subsection (a) to the account(s)
10 listed in subsection (b):

11 (B.T. 23-098, attached hereto as **Exhibit 1** and incorporated herein
12 by this reference)

13 (a) Appropriated from:

14 See B.T. 23-098 \$2,200,000

15 (b) Appropriated to:

16 See B.T. 23-098 \$2,200,000

17 (c) Explanation of Appropriation:

18 The funding above represents an appropriation of \$2,200,000
19 from the Marine Fire Station No. 68 (new) - DM Other
20 Construction Costs account to the Marine Fire Station No.
21 68 (new) - DM Land account for the purchase of 3.27± acres
22 of real property located at 10562 Scott Mill Road,
23 Jacksonville, Florida.

24 **Section 2. Purpose.** The purpose of the appropriation in
25 Section 1 is to provide funding for the purchase of residential
26 property located on Scott Mill Road to be used for the new Marine
27 Fire Station No. 68 (the "Project"). The property is located on the
28 St. Johns River and is already outfitted with a residential structure
29 and a boat dock. This acquisition will allow the City to convert the
30 property to a marine fire station to provide full-time marine coverage
31 in the waterways of southern Jacksonville, including Mandarin, Naval

1 Air Station Jacksonville, Buckman Bridge and Julington Creek. Current
2 response time from the closest full-time staffed marine unit in
3 Metropolitan Park is approximately 25 minutes to the Mandarin/Buckman
4 Bridge area. The City intends to apply for a rezoning of the property
5 to Planned Unit Development (PUD).

6 **Section 3. Approval and Authorization to Execute Real**
7 **Estate Purchase Agreement.** The Real Estate Purchase Agreement (the
8 "Agreement") provides for the acquisition of an improved 3.27± acre
9 residential parcel located at 10562 Scott Mill Road (R.E. No.
10 158834-0000) in Council District 6, as depicted on **Exhibit 2** (the
11 "Property"), to be converted into the new Marine Fire Station No. 68.
12 There is hereby approved, and the Mayor, or her designee, and the
13 Corporation Secretary are hereby authorized to execute and deliver,
14 for and on behalf of the City, that certain Real Estate Purchase
15 Agreement between the City of Jacksonville and Phillip and Suzanne
16 Noe (the "Sellers"), in substantially the form attached hereto as
17 **Exhibit 3** and incorporated herein by this reference, and all such
18 closing and other documents necessary or appropriate to effectuate
19 the purpose of this Ordinance (with such "technical" changes as herein
20 authorized). The negotiated purchase price of the property is
21 \$2,100,000 and is supported by an appraisal obtained by the City. The
22 Agreement does not require a deposit from the City.

23 The Real Estate Purchase Agreement, and any and all closing and
24 other documents related thereto, may include such additions,
25 deletions, and changes as may be reasonable, necessary, and incidental
26 for carrying out the purposes thereof, as may be acceptable to the
27 Mayor, or her designee, with such inclusion and acceptance being
28 evidenced by execution of the Agreement by the Mayor, or her designee;
29 provided however, no modification of the Agreement or related
30 documents may increase the financial obligations or liability of the
31 City to an amount in excess of the amount stated in the Agreement or

1 decrease the financial obligations or liability of the Sellers, and
2 any such modification shall be technical only and shall be subject
3 to appropriate legal review and approval by the Office of General
4 Counsel. For purposes of this Ordinance, the term "technical changes"
5 is defined as those changes having no financial impact to the City,
6 including, but not limited to, changes in legal descriptions or
7 surveys, ingress and egress, easements and rights of way, design
8 standards, access and site plans, resolution of title defects, if
9 any, and other non-substantive changes that do not substantively
10 increase the duties and responsibilities of the City under the
11 provisions of the Agreement.

12 **Section 4. Capital Improvement Plan Amendment.** Ordinance
13 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan
14 (the "CIP") for the City and certain of its independent agencies, is
15 hereby amended to transfer \$2,200,000 from the Marine Fire Station
16 No. 68 (new) Construction account to the Marine Fire Station No. 68
17 (new) Land Acquisition and Site Preparation account, as more fully
18 described in the Project Information Sheet attached hereto as **Exhibit**
19 **4** and incorporated herein by this reference. The City Council finds
20 that the deferral of this amendment of the CIP until the next annual
21 budget and CIP review will be detrimental to the best interests of
22 the community because such deferral would result in the unnecessary
23 delay of the acquisition of property for the new Marine Fire Station
24 No. 68.

25 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
26 this Ordinance requires the affirmative vote of two-thirds of the
27 City Council members present at the meeting because of the CIP
28 amendment set forth in this section. This Ordinance shall constitute
29 an amendment to Ordinance 2022-505-E. In all other respects, the
30 Five-Year Capital Improvement Plan approved by Ordinance 2022-505-E
31 shall remain unchanged and continue in full force and effect.

1 **Section 5. Oversight.** The Real Estate Division of the
2 Department of Public Works shall provide oversight of acquisition of
3 the property; the Jacksonville Fire and Rescue Department shall have
4 oversight thereafter.

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

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9 Form Approved:

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11 /s/ Mary E. Staffopoulos

12 Office of General Counsel

13 Legislation Prepared By: Mary E. Staffopoulos

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