

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-325**

5 AN ORDINANCE APPROPRIATING \$200,000.00 IN FUND
6 BALANCE FROM THE ENVIRONMENTAL PROTECTION FUND
7 TO THE UNIVERSITY OF FLORIDA CENTER FOR COASTAL
8 SOLUTIONS THROUGH THE UNIVERSITY OF FLORIDA
9 BOARD OF TRUSTEES ("UNIVERSITY OF FLORIDA") TO
10 CONDUCT A SEPTIC TANK VULNERABILITY ASSESSMENT
11 PROJECT FOR SINGLE-FAMILY RESIDENTIAL SEPTIC
12 SYSTEMS IN DUVAL COUNTY, AS INITIATED BY B.T.
13 24-095; PROVIDING FOR CARRYOVER TO FISCAL YEAR
14 2024-2025; INVOKING THE EXEMPTION OF SECTION
15 126.107(G) (EXEMPTIONS), CHAPTER 126
16 (PROCUREMENT CODE), *ORDINANCE CODE*, TO DIRECT
17 CONTRACT WITH UNIVERSITY OF FLORIDA; APPROVING
18 AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND
19 THE CORPORATION SECRETARY TO EXECUTE AND DELIVER
20 THAT CERTAIN RESEARCH AGREEMENT FOR THE SEPTIC
21 TANK VULNERABILITY ASSESSMENT PROJECT
22 ("AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE
23 AND UNIVERSITY OF FLORIDA; WAIVING SECTION
24 118.107 (NONPROFITS TO RECEIVE FUNDING THROUGH
25 A COMPETITIVE EVALUATED AWARD PROCESS), PART 1
26 (GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS),
27 *ORDINANCE CODE*, TO ALLOW A DIRECT CONTRACT WITH
28 UNIVERSITY OF FLORIDA; WAIVING SECTION 110.112
29 (ADVANCE OF CITY FUNDS; PROHIBITION AGAINST),
30 PART 1 (THE CITY TREASURY), CHAPTER 110 (CITY
31 TREASURY), *ORDINANCE CODE*, TO ALLOW FOR

1 ADVANCE PAYMENT TO UNIVERSITY OF FLORIDA;
2 PROVIDING FOR CITY OVERSIGHT BY THE
3 NEIGHBORHOODS DEPARTMENT, ENVIRONMENTAL QUALITY
4 DIVISION; REQUIRING ANNUAL REPORTS AND A FINAL
5 REPORT TO JACKSONVILLE ENVIRONMENTAL PROTECTION
6 BOARD; PROVIDING AN EFFECTIVE DATE.

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

9 **Section 1. Appropriation.** For the 2023-2024 fiscal year,
10 within the City's budget, there are hereby appropriated the indicated
11 sum(s) from the account(s) listed in subsection (a) to the account(s)
12 listed in subsection (b):

13 (B.T. 24-095 attached hereto as **Exhibit 1**, and incorporated herein
14 by this reference)

15 (a) Appropriated from:

16 See B.T. 24-095 \$200,000.00

17 (b) Appropriated to:

18 See B.T. 24-095 \$200,000.00

19 (c) Explanation of appropriation:

20 The funding above is appropriating fund balance from the
21 Environmental Protection Fund to fund a septic tank
22 vulnerability assessment project for single-family
23 residential septic systems in Duval County (the "Project").

24 **Section 2. Purpose.** The purpose of the appropriation in
25 Section 1 is to provide funding to the University of Florida Center
26 for Coastal Solutions through the University of Florida Board of
27 Trustees ("University of Florida") for the Project which shall be
28 completed pursuant to the terms, conditions and scope of work more
29 particularly described in that certain Research Agreement for the
30 Septic Tank Vulnerability Assessment Project between the City of
31 Jacksonville ("City") and University of Florida (the "Agreement"),

1 as approved and authorized in Section 5 below. The City's
2 Environmental Protection Board approved this expenditure of the
3 Environmental Protection Fund at its meeting on January 16, 2024, as
4 reflected in the Monthly Meeting Summary attached hereto as **Exhibit**
5 **2** and incorporated herein by reference. Payment to University of
6 Florida will be made in four equal payments of \$50,000.00 pursuant
7 to the terms and conditions of the Agreement.

8 The Project will include a multi-criteria vulnerability
9 assessment of all single-family residential septic systems in Duval
10 County and prioritization of single-family residential septic-to-
11 sewer conversion projects. These two tasks will empower the City to
12 identify in a data-driven and geographically standardized way the
13 level of risk septic systems in Duval County, and to create septic-
14 to-sewer conversion project groupings that are financially and
15 spatially efficient and in a manner likely to reduce the risk of
16 septic system failure.

17 **Section 3. Carryover.** The funds appropriated herein
18 shall not lapse but shall carryover to fiscal year 2024-2025.

19 **Section 4. Invoking the Exemption Pursuant to Section**
20 **126.107(g), Ordinance Code.** The City is hereby authorized to enter
21 into the Agreement authorized in Section 5 below. Pursuant to Section
22 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
23 (Procurement Code), *Ordinance Code*, such procurement is exempted from
24 competitive solicitation because the supplies or services are to be
25 provided by those specifically prescribed within authorizing
26 legislation that appropriates the same. With the exception of the
27 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
28 remain in full force and effect.

29 **Section 5. Approval and Authorization of the Agreement.**
30 There is hereby approved, and the Mayor or her designee, and the
31 Corporation Secretary are hereby authorized, to execute and deliver,

1 for and on behalf of the City, the Agreement substantially in the
2 form placed **On File** with the Legislative Services Division, and any
3 respective extension or amendments thereto as necessary and
4 appropriate to effectuate the intent of this Ordinance.

5 **Section 6. Waiving Section 118.107 (Nonprofits to receive**
6 **funding through a competitive evaluated award process), Part 1**
7 **(General Provisions), Chapter 118 (City Grants), Ordinance Code.**

8 The provisions of Section 118.107 (Nonprofits to receive funding
9 through a competitive evaluated award process), Part 1 (General
10 Provisions), Chapter 118 (City Grants), *Ordinance Code*, are hereby
11 waived to allow for a direct contract between the City and
12 University of Florida. The City finds that this waiver is justified
13 because the University of Florida is uniquely positioned to perform
14 the Project in a timely manner given its prior work related to the
15 Project and its proprietary software and tools.

16 **Section 7. Waiving Section 110.112, Ordinance Code.**

17 Section 110.112 (Advance of City funds; prohibition against), Part
18 1 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*,
19 is hereby waived to allow for advance payment to University of
20 Florida as provided in the Agreement. The City finds that this
21 waiver is justified because University of Florida is a non-profit
22 that requires this advance funding in order to commence the
23 Project.

24 **Section 8. Oversight Department.** The Neighborhoods
25 Department, Environmental Quality Division, shall oversee the
26 Project.

27 **Section 9. Reports.** Annual reports shall be submitted by
28 University of Florida to the City's Environmental Protection Board
29 on September 15th of each year through Project completion. A final
30 report shall be submitted at the conclusion of the Project.

31 **Section 10. Effective Date.** This Ordinance shall

1 become effective upon signature by the Mayor or upon becoming
2 effective without the Mayor's signature.

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5 Form Approved:

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7 /s/ Joelle J. Dillard

8 Office of General Counsel

9 Legislation Prepared By: Joelle J. Dillard

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