

1 Introduced by Council Members Dennis, Gaffney, Pittman, Ferraro,
2 White, Wilson, Freeman, DeFoor, Newby, Hazouri, Bowman, Salem,
3 Becton, Priestly Jackson, Diamond, Carlucci and Morgan:
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6 **ORDINANCE 2020-597**

7 AN ORDINANCE APPROPRIATING \$50,952.25 (\$25,000
8 FROM SPECIAL COUNCIL OPERATING CONTINGENCY,
9 \$12,443.55 FROM COUNCIL DISTRICT 9
10 DISCRETIONARY FUNDS FROM THE BETTER
11 JACKSONVILLE PROGRAM, \$10,000 FROM COUNCIL
12 DISTRICT 7 DISCRETIONARY FUNDS FROM THE BETTER
13 JACKSONVILLE PROGRAM, AND \$3,508.70 FROM
14 COUNCIL DISTRICT 8 DISCRETIONARY FUNDS FROM
15 THE BETTER JACKSONVILLE PROGRAM) FOR
16 IMPROVEMENTS TO AN OUTDOOR SPORTS COURT,
17 LOCATED AT 5731 & 5732 NORMANDY BOULEVARD,
18 JACKSONVILLE, FLORIDA 32210, IN COUNCIL
19 DISTRICT 9; PROVIDING FOR A CARRYOVER OF FUNDS
20 INTO THE 2020-2021 FISCAL YEAR; APPROVING, AND
21 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
22 CORPORATION SECRETARY TO EXECUTE AND DELIVER,
23 A JOINT USE AGREEMENT BETWEEN THE CITY OF
24 JACKSONVILLE AND THE POTTER'S HOUSE CHRISTIAN
25 FELLOWSHIP, INC.; PROVIDING FOR THE PARKS,
26 RECREATION AND COMMUNITY SERVICES DEPARTMENT
27 TO OVERSEE THE PROJECT; REQUESTING EMERGENCY
28 PASSAGE UPON INTRODUCTION; PROVIDING AN
29 EFFECTIVE DATE.
30

31 **WHEREAS**, the funds being appropriated are Better Jacksonville

1 Program (BJP) funds, which are being used pursuant to 2000-572-E
2 and 2000-965-E; and

3 **WHEREAS**, these BJP funds are to be used within 10 years and
4 thereafter, the funds lapse into a Special Council Reserves
5 account; and

6 **WHEREAS**, the Potter's House Christian Fellowship, Inc.
7 organization is making a contribution to the project by providing
8 oversight for programing and maintenance; and

9 **WHEREAS**, the outdoor sports court will be open to the public;
10 and

11 **WHEREAS**, the project will have a Joint Use Agreement with the
12 City for use by the public for the expected life of the outdoor
13 sports court; now therefore

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

15 **Section 1. Appropriation.** For the 2019-2020 fiscal year,
16 within the City's budget, there are hereby appropriated the
17 indicated sum(s) from the account(s) listed in subsection (a) to
18 the account(s) listed in subsection (b):

19 (The account information is attached hereto as **Exhibit 1**, and
20 incorporated herein by this reference)

21 (a) Appropriated from:

22 See attached **Exhibit 1** \$50,952.25

23 (b) Appropriated to:

24 See attached **Exhibit 1** \$50,952.25

25 (c) **Explanation of Appropriation** - The funding above is being
26 appropriated (\$25,000 from Special Council Operating
27 Contingency, \$12,443.55 from Council District 9
28 Discretionary funds from the Better Jacksonville Program,
29 \$10,000 from Council District 7 Discretionary funds from
30 the Better Jacksonville Program, and \$3,508.70 from
31 Council District 8 Discretionary funds from the Better

1 Jacksonville Program) for costs to install a new all-
2 weather coating and other associated improvements on an
3 outdoor sports court at the Potter's House Christian
4 Academy, in Council District 8.

5 **Section 2. Purpose.** The purpose of the appropriation in
6 Section 1 is to provide funding for costs to install a new all-
7 weather coating and other associated improvements on an outdoor
8 sports court at the Potter's House Christian Academy located at
9 5731 & 5732 Normandy Boulevard, Jacksonville, Florida 32210, in
10 Council District 9, as more fully described in **Exhibit 2** attached
11 hereto.

12 **Section 3. Carryover.** The funds appropriated in Section 1
13 of this ordinance shall not lapse but shall carryover into fiscal
14 year 2020-2021.

15 **Section 4. Joint Use Agreement approved and execution**
16 **authorized.** There is hereby approved, and the Mayor, or his
17 designee, and Corporation Secretary are hereby authorized to
18 execute and deliver, the Funding Agreement between the City of
19 Jacksonville and The Potter's House Christian Fellowship, Inc., in
20 substantially the form as attached hereto as **Exhibit 3**, and
21 incorporated herein by this reference (the "Agreement"). The
22 Agreement provides for the City and citizens of Jacksonville to use
23 the Sports Court and to provide certain programming on the Sports
24 Court located at 5731 & 5732 Normandy Blvd. The Agreement may
25 include such additions, deletions and changes as may be reasonable,
26 necessary and incidental for carrying out the purposes thereof, as
27 may be acceptable to the Mayor, or his designee, with such
28 inclusion and acceptance being evidenced by execution of the
29 Agreement by the Mayor, or his designee; provided however, no
30 modification to the Agreement may increase the financial
31 obligations or liability of the City to an amount in excess of the

1 amount stated in the Agreement or decrease the duties and
2 obligations of the Potter's House Christian Fellowship, Inc. as
3 stated in the Agreement, and any such modification shall be
4 technical only and shall be subject to appropriate legal review and
5 approval by the Office of General Counsel. For the purposes of this
6 Ordinance, the term "technical changes" is defined as those changes
7 having no financial impact to the City and any other non-
8 substantive changes that do not substantively increase the duties
9 and responsibilities of the City under the provisions of the
10 Agreement.

11 **Section 5. Oversight.** The Mayor is requested to appoint
12 the Parks, Recreation and Community Services Department to oversee
13 the project in Section 2 above and to ensure compliance with all
14 other appropriate laws.

15 **Section 6. Requesting emergency passage upon introduction**
16 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
17 introduction of this legislation is requested. The nature of the
18 emergency is that \$25,000 of the funding will lapse on September
19 30, 2020. These funds are being appropriated to cover 50% of the
20 project described in Section 2 above.

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

24 Form Approved:
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27 /s/ Margaret M. Sidman

28 Office of General Counsel

29 Legislation prepared by: Margaret M. Sidman

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