

1 Introduced by Council Members Carlucci and DeFoor:
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4 **ORDINANCE 2020-703**

5 AN ORDINANCE APPROPRIATING \$26,500 FROM SPECIAL
6 EVENTS - FLORIDA GEORGIA GAME CONTINGENCY TO
7 PROVIDE FUNDING TO ROBERT CHARLES LESSER & CO.,
8 LLC ("RCLCO") FOR LOT J CONSULTING AND RELATED
9 PROFESSIONAL SERVICES; AUTHORIZING THE MAYOR, OR
10 HIS DESIGNEE, AND CORPORATION SECRETARY TO
11 EXECUTE AN AGREEMENT BETWEEN THE CITY OF
12 JACKSONVILLE AND RCLCO FOR STRATEGIC REVIEW AND
13 ANALYSIS OF THE LOT J DEVELOPMENT PROJECT;
14 INVOKING THE EXCEPTION OF SECTION
15 126.107(G) (EXEMPTIONS), PART 1 (GENERAL
16 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
17 *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT
18 WITH RCLCO; WAIVING SECTION 110.112 (ADVANCE
19 OF CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE
20 CITY TREASURY), CHAPTER 110 (CITY TREASURY),
21 *ORDINANCE CODE*, TO ALLOW FOR A PARTIAL ADVANCE
22 PAYMENT BY THE CITY; REQUESTING EMERGENCY
23 PASSAGE UPON INTRODUCTION; REQUESTING THE MAYOR
24 EXPEDITE SIGNATURE OF THIS LEGISLATION AND
25 RELATED CONTRACT TO AFFORD TIME FOR RCLCO TO
26 REVIEW THE LOT J DEVELOPMENT PROJECT; PROVIDING
27 FOR OVERSIGHT BY THE OFFICE OF THE COUNCIL
28 SECRETARY; PROVIDING AN EFFECTIVE DATE.

29
30 **WHEREAS**, the Administration has filed Ordinance 2020-648, for a
31 mixed-use development on the current site of parking Lot J at the

1 Sports Complex in downtown Jacksonville ("Lot J Project"); and

2 **WHEREAS**, the development is being promoted by a partnership
3 between the Jaguars and The Cordish Companies and involves significant
4 commitments from the City; and

5 **WHEREAS**, the Council would like assistance with evaluating the
6 viability and feasibility of the project as part of its due diligence
7 for the City, to help ensure that the project (if approved) is
8 successful and a good deal for the City; and

9 **WHEREAS**, the Lot J Project is arguably the largest public private
10 partnership in the history of Jacksonville and merits a third-party
11 independent market analysis; now therefore

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

13 **Section 1. Appropriation.** For the 2020-2021 fiscal year,
14 within the City's budget, there are hereby appropriated the indicated
15 sum(s) from the account(s) listed in subsection (a) to the account(s)
16 listed in subsection (b):

17 (The account information is attached hereto as **Exhibit 1** and
18 incorporated herein by this reference)

19 (a) Appropriated from:

20 See **Exhibit 1** \$26,500

21 (b) Appropriated to:

22 See **Exhibit 1** \$26,500

23 (c) Explanation of Appropriation

24 The appropriation above provides \$26,500 in funding from
25 the Special Events - Florida Georgia Game Contingency
26 account to be used for a professional services agreement
27 with RCLCO in order to provide a market evaluation of the
28 Lot J Project.

29 **Section 2. Purpose.** The purpose of the appropriation in
30 Section 1 is to provide funding in the amount of \$26,500 to allow
31 Robert Charles Lesser & Co., LLC ("RCLCO") to assist with evaluating

1 the market viability and feasibility of the Lot J Project as part of
2 its due diligence for the City. A statement of qualifications is
3 attached hereto as **Exhibit 2**.

4 **Section 3. Authorization.** The Mayor, or his designee, and
5 Corporation Secretary are hereby authorized to execute and deliver
6 that certain Professional Services Agreement between the City of
7 Jacksonville ("City") and RCLCO, in substantially the form attached
8 hereto as **Exhibit 3** and incorporated herein (the "Agreement"). A
9 copy of RCLCO's statement of qualifications is attached hereto as
10 **Exhibit 2**. The Mayor, or his designee, and the Corporation Secretary
11 is further authorized to execute an amendment to the Agreement for
12 the sole purpose only of increasing the maximum indebtedness amount
13 in the Agreement, subject to the availability of lawfully appropriated
14 funds, to engage RCLCO to perform the Optional Additional Phase 2
15 Services (as defined in the Agreement) in accordance with the fee
16 summary and payment schedule for such services as set forth in the
17 Agreement.

18 **Section 4. Invoking the exception to Section 126.107(g),**
19 **Ordinance Code.** The City is hereby authorized to procure the use
20 of the professional services of RCLCO, to evaluate the viability and
21 feasibility of the Lot J Project. Pursuant to Section 126.107(g)
22 (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement
23 Code), *Ordinance Code*, such procurement is exempted from competitive
24 solicitation because the supplies or services are to be provided by
25 those specifically prescribed within authorizing legislation that
26 appropriates the same. With the exception of the foregoing, all other
27 provisions of Chapter 126, *Ordinance Code*, shall remain in full force
28 and effect. The Scope of Services is more particularly described in
29 **Exhibit 3** and designates specific services to be performed by RCLCO,
30 as a subrecipient/contractor for the City.

31 **Section 5. Waiving Section 110.112, Ordinance Code.** Section

1 110.112 (Advance of City funds; prohibition against), Part 1 (The
2 City Treasury), Chapter 110 (City Treasury), Ordinance Code, is hereby
3 waived to allow for a partial advance payment as described in the fee
4 summary and payment schedule set forth in Exhibit A-2 of the
5 Agreement.

6 **Section 6. Requesting emergency passage upon introduction**
7 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
8 introduction of this legislation is requested. The nature of the
9 emergency is that Ordinance 2020-648 is currently pending before
10 Council and there is an immediate need for a third-party independent
11 market analysis.

12 **Section 7. Requesting the Mayor expedite signature of this**
13 **legislation and related contract to afford the time for RCLCO to**
14 **review the Lot J development project.** The Mayor is requested to
15 expedite signature of this legislation and related contract to afford
16 time to RCLCO to review the Lot J Project considering need for
17 transparency to the Council, Administration and the public since the
18 Lot J Project is arguably the largest public private partnership in
19 the history of Jacksonville and merits a third-party independent
20 market analysis.

21 **Section 8. Oversight.** The Office of the Council Secretary
22 shall oversee the agreement described herein.

23 **Section 9. Effective Date.** This ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

26 Form Approved:

27
28 /s/ Paige H. Johnston

29 Office of General Counsel

30 Legislation prepared by: Margaret M. Sidman