

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Members Amaro, Clark-Murray, Carlucci,
3 Peluso, Howland, White, Arias, Carrico, Gaffney Jr., Lahnen, Pittman,
4 Salem and Miller:

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7 **ORDINANCE 2023-868-E**

8 APPROVING, AND AUTHORIZING THE MAYOR, OR HER
9 DESIGNEE, AND THE CORPORATION SECRETARY TO
10 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
11 CITY OF JACKSONVILLE ("CITY"), THAT CERTAIN
12 REVOCABLE PERMIT AND HOLD HARMLESS AGREEMENT
13 ("AGREEMENT") BETWEEN THE CITY, JACKSONVILLE
14 UNIVERSITY, AND OCEARCH FOR THE USE OF A CITY
15 OWNED DOCK FACILITY IN THE MAYPORT COMMUNITY ON
16 SUBMERGED LANDS LEASED PURSUANT TO THE
17 SOVEREIGNTY SUBMERGED LANDS LEASE (BOT FILE
18 #160359172) AUTHORIZED BY ORDINANCE
19 2022-0215-E, FOR THE DOCKING OF VESSELS USED FOR
20 RESEARCH AND EDUCATIONAL PURPOSES, WITH AN
21 INITIAL TERM OF THIRTY YEARS, WITH FOUR
22 FIVE-YEAR RENEWAL OPTIONS, WITH NO USAGE FEE;
23 PROVIDING FURTHER AUTHORIZATIONS; PROVIDING FOR
24 OVERSIGHT BY THE PARKS, RECREATION AND COMMUNITY
25 SERVICES DEPARTMENT; PROVIDING AN EFFECTIVE
26 DATE.

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

29 **Section 1. Revocable Permit and Hold Harmless Agreement**
30 **Approved and Execution Authorized.** There is hereby approved, and the
31 Mayor, or her designee, and the Corporation Secretary are hereby

1 authorized to execute and deliver, for and on behalf of the City of
2 Jacksonville ("City"), that certain Revocable Permit and Hold
3 Harmless Agreement between the City, Jacksonville University ("JU")
4 and OCEARCH in substantially the form placed **On File** with the
5 Legislative Services Division (the "Agreement"). Said Agreement
6 authorizes JU and OCEARCH, a global non-profit organization
7 conducting shark research, to use and access a City owned dock
8 facility ("Mayport Dock") in the Mayport community located on
9 submerged lands leased pursuant to the Sovereignty Submerged Lands
10 Lease (BOT File #160359172) ("Submerged Land Lease") authorized by
11 Ordinance 2022-0215-E for an initial term of thirty years, with four
12 five-year renewal options, with no usage fee, for the docking of
13 vessels used for research and educational purposes. JU currently
14 leases from the City waterfront property adjacent to the Mayport Dock
15 and located at 4610 Ocean Street for educational and outreach
16 programming in partnership with OCEARCH pursuant to a lease authorized
17 by Ordinance 2019-130-E.

18 **Section 2. Further Authorizations.** The Agreement may
19 include such additions, deletions and changes as may be reasonable,
20 necessary and acceptable to the Mayor, or her designee, with such
21 inclusion and acceptance being evidenced by execution of the Agreement
22 by the Mayor, or her designee; provided however, no modification to
23 the Agreement may increase the financial obligations or liability of
24 the City to an amount in excess of the amount stated in the Agreement
25 or decrease the duties and obligations of JU or OCEARCH as stated in
26 the Agreement, and any such modifications shall be technical only and
27 shall be subject to appropriate legal review and approval by the
28 Office of General Counsel. For the purposes of this Ordinance, the
29 term "technical changes" is defined as those changes having no
30 financial impact to the City, changes required for compliance with
31 the terms and conditions of the Submerged Land Lease, and any other

1 non-substantive changes that do not substantively increase the duties
2 and responsibilities of the City under the provisions of the
3 Agreement.

4 **Section 3. Oversight Department.** The Parks, Recreation and
5 Community Services Department shall oversee administration of the
6 Agreement and project described herein.

7 **Section 4. Effective Date.** This Ordinance shall become
8 effective upon signature by the Mayor or upon becoming effective
9 without the Mayor's signature.

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11 Form Approved:

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13 /s/ Mary E. Staffopoulos

14 Office of General Counsel

15 Legislation Prepared By: Joelle J. Dillard

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