

1 Introduced by Council Member DeFoor:
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4 **ORDINANCE 2021-285**

5 AN ORDINANCE APPROPRIATING \$14,247.75 FROM
6 DISTRICT 14-AUTUMN BOND FUNDING TO FUND
7 CONSTRUCTION OF A SIDEWALK ALONG CARLISLE ROAD
8 FOR PUBLIC USE AT JOHN N.C. STOCKTON
9 ELEMENTARY SCHOOL, IN COUNCIL DISTRICT 14;
10 FINDING A MUNICIPAL PURPOSE; WAIVING THE
11 REQUIREMENT OF SECTION 106.315 (DISTRICT
12 COUNCIL EXPENDITURES), *ORDINANCE CODE*, THAT
13 FUNDS BE USED ON CITY PROPERTY; AUTHORIZING
14 THE MAYOR, OR HIS DESIGNEE, AND CORPORATION
15 SECRETARY TO EXECUTE AND DELIVER AN AMENDMENT
16 TO THE JOINT USE AGREEMENT BETWEEN THE CITY OF
17 JACKSONVILLE AND THE SCHOOL BOARD OF DUVAL
18 COUNTY; OVERSIGHT BY THE DEPARTMENT OF PUBLIC
19 WORKS; INVOKING THE EXCEPTION IN SECTION
20 126.107(G), *ORDINANCE CODE*, TO ALLOW DIRECT
21 CONTRACT WITH JAX UTILITIES MANAGEMENT, INC.,
22 TO INSTALL THE RELOCATED SIDEWALK; PROVIDING
23 AN EFFECTIVE DATE.
24

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

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

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

1
2 (a) Appropriated from:

3 See **Exhibit 1** \$14,247.75

4 (b) Appropriated to:

5 See **Exhibit 1** \$14,247.75

6 (c) **Explanation of Appropriation:** Appropriating \$14,247.50
7 from District 14-Autumn Bond Funding to fund
8 construction a sidewalk at John Stockton Elementary
9 along Carlisle Road.

10 **Section 2. Purpose.** The purpose of the appropriation in
11 Section 1 is to provide \$14,247.75 of funding for the installation
12 of a relocated public sidewalk on property owned by the Duval
13 County School Board along Carlisle Road, as more fully described in
14 **Exhibit 2**, attached hereto.

15 **Section 3. Finding of Public Purpose.** The City finds
16 that the installation of a new, relocated sidewalk on Duval County
17 School Board property, for use by students and personnel of the
18 John N.C. Stockton Elementary School, the surrounding community,
19 and the public at-large, is a valid municipal purpose for which
20 funds should be expended.

21 **Section 4. Waiving provisions of Section 106.315**
22 **(District Council expenditures), Ordinance Code, as to use of funds**
23 **on City Property.** The provisions of Section 106.315, *Ordinance*
24 *Code*, requiring that bond funds be used on City property, is hereby
25 waived. The existing public sidewalk on Carlisle Road is located
26 on property owned by the Duval County School Board; to address a
27 public safety concern made by the John N.C. Stockton Elementary
28 School, the City will pay the costs to relocate the existing
29 sidewalk on Duval County School Board property and the Duval County
30 School Board will thereafter maintain the sidewalk. The relocated
31 sidewalk will remain open to the public.

1 **Section 5. Authorization for Amendment to Joint Use**
2 **Agreement.** The Mayor, or his designee, and Corporation Secretary
3 are hereby authorized to execute and deliver an amendment to the
4 Joint Use Agreement between the City of Jacksonville and the School
5 Board of Duval County, to add the relocated sidewalk along Carlisle
6 Road at John N.C. Stockton Elementary School to the scope of the
7 agreement with the School Board agreeing to maintain the sidewalk
8 thereafter.

9 **Section 6. Oversight Department.** The Department of Public
10 Works shall oversee the project described herein.

11 **Section 7. Invoking the exception to Section 126.107(g),**
12 **Ordinance Code.** The City is hereby authorized to procure the use of
13 the professional services of Jax Utilities Management, Inc. to
14 install the sidewalk specified in **Exhibit 2.** Jax Utilities
15 Management, Inc. is an existing city contractor and has provided
16 such services prior. Pursuant to Section 126.107(g) (Exemptions),
17 Part 1 (General Regulations), Chapter 126 (Procurement Code),
18 *Ordinance Code*, such procurement is exempted from competitive
19 solicitation because the supplies or services are to be provided by
20 those specifically prescribed within authorizing legislation that
21 appropriates the same. With the exception of the foregoing, all
22 other provisions of Chapter 126, *Ordinance Code*, shall remain in
23 full force and effect.

24 **Section 8. Effective Date.** This ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

27 Form Approved:

28 /s/ Margaret M. Sidman

29 Office of General Counsel

30 Legislation Prepared By: Paige H. Johnston

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