

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-86-D**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER, FOR AND ON
8 BEHALF OF THE CITY, THAT CERTAIN LEASE AND USE
9 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
10 LUTHERAN SERVICES FLORIDA, INC. FOR CONSTRUCTION
11 AND OPERATION OF A THERAPEUTIC EARLY LEARNING
12 CENTER IN VICTORY PARK, LOCATED AT 3781
13 UNIVERSITY CLUB BOULEVARD, JACKSONVILLE,
14 FLORIDA 32277 FOR A TERM BEGINNING ON THE
15 EFFECTIVE DATE OF THE AGREEMENT AND CONTINUING
16 THROUGH SEPTEMBER 30, 2053; PROVIDING FURTHER
17 AUTHORIZATIONS; PROVIDING FOR OVERSIGHT BY THE
18 PARKS, RECREATION AND COMMUNITY SERVICES
19 DEPARTMENT; REQUESTING ONE CYCLE EMERGENCY
20 PASSAGE; PROVIDING AN EFFECTIVE DATE.
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22 **BE IT ORDAINED** by the Council of the City of Jacksonville:

23 **Section 1. Agreement Approved and Execution Authorized.**

24 There is hereby approved, and the Mayor, or his designee, and the
25 Corporation Secretary are hereby authorized to execute and deliver,
26 for and on behalf of the City, that certain Lease and Use Agreement
27 between the City of Jacksonville and Lutheran Services Florida, Inc.
28 for Construction and Operation of a Therapeutic Early Learning Center
29 in Victory Park in substantially the form placed **On File** with the
30 Legislative Services Division (the "Agreement"). The Agreement
31 authorizes Lutheran Services Florida, Inc. (the "Lessee") use of and

1 access to Victory Park located at 3781 University Club Boulevard,
2 Jacksonville, Florida 32277 for a term beginning on the effective
3 date of the Agreement and continuing through September 30, 2053, for
4 construction and operation of an early learning center to provide
5 Head Start programming to Duval County residents. The Agreement
6 provides the option for an extension of the Lease term for one
7 additional five-year period. The Agreement provides the Lessee will
8 pay a rent and use fee of \$1.00 per year.

9 The Lessee has identified the neighborhood and region
10 surrounding Victory Park as an area of high need within the Lessee's
11 established service area for Head Start programming. The early
12 learning center will house eight Head Start classrooms and provide
13 therapeutic intervention and STEM educational services to 116 low-
14 income students ages 0-5 years old, at no cost to the families or
15 participants. The facility will also include a clinic, therapy room,
16 library and multi-purpose training room, parent resource and meeting
17 room, STEM exploration lab, and age-appropriate playgrounds. Total
18 project costs are estimated at \$3,856,151.20 and Lessee has committed
19 through federal and state grants to contribute the full project costs
20 to construct the facility. In addition, all ongoing programming
21 expenses will be the responsibility of Lessee.

22 **Section 2. Further Authorizations.** The Agreement may
23 include such additions, deletions and changes as may be reasonable,
24 necessary and acceptable to the Mayor, or his designee, with such
25 inclusion and acceptance being evidenced by execution of the Agreement
26 by the Mayor, or his designee; provided however, no modification to
27 the Agreement may increase the financial obligations or liability of
28 the City to an amount in excess of the amount stated in the Agreement
29 or decrease the duties and obligations of the Lessee as stated in the
30 Agreement, and any such modifications shall be technical only and
31 shall be subject to appropriate legal review and approval by the

1 Office of General Counsel. For the purposes of this Ordinance, the
2 term "technical changes" is defined as those changes having no
3 financial impact to the City, changes required for compliance with
4 the terms and conditions of any grant funding received by the City
5 or Lessee for construction of the early learning facility or the
6 provision of Head Start programming to be offered at Victory Park,
7 and any other non-substantive changes that do not substantively
8 increase the duties and responsibilities of the City under the
9 provisions of the Agreement.

10 **Section 3. Oversight Department.** The Parks, Recreation and
11 Community Services Department shall oversee administration of the
12 Agreement and project described herein.

13 **Section 4. Requesting One Cycle Emergency Passage Pursuant**
14 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
15 legislation is requested. The nature of the emergency is that the
16 Lessee has secured funding from the Department of Health and Human
17 Services for construction of the early learning center that must be
18 encumbered on or before March 1, 2023. The Lessee has requested
19 emergency passage of this legislation prior to that date to ensure
20 this funding will not be withheld.

21 **Section 5. Effective Date.** This Ordinance shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Mary E. Staffopoulos

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