

1 Introduced by Council Member Peluso and Co-Sponsored by Council  
2 Member Amaro and amended by the Rules Committee:

3  
4  
5 **ORDINANCE 2023-832-E**

6 AN ORDINANCE AUTHORIZING THE MAYOR AND  
7 CORPORATION SECRETARY TO EXECUTE A CONTRACT  
8 WITH JACKSONVILLE UNIVERSITY FOR THE  
9 CONTINUING MANATEE PROTECTION STUDIES FOR  
10 FISCAL YEAR 2023-2024, WITH UP TO FOUR ANNUAL  
11 RENEWALS, SUBJECT TO APPROPRIATION BY CITY  
12 COUNCIL; INVOKING SECTION 126.107(G),  
13 *ORDINANCE CODE*, TO EXEMPT THIS PROCUREMENT  
14 FROM COMPETITIVE SOLICITATION AND BIDDING FOR  
15 SAID CONTRACT; PROVIDING FOR OVERSIGHT BY THE  
16 PLANNING AND DEVELOPMENT DEPARTMENT; PROVIDING  
17 AN EFFECTIVE DATE.

18  
19 **WHEREAS**, over the last many years the City of Jacksonville  
20 has engaged Jacksonville University to provide marine science  
21 support, particularly in developing and refining the City's Manatee  
22 Protection Plan; and

23 **WHEREAS**, the University's Gerard Pinto, Ph.D., a  
24 highly-regarded expert on marine mammals, especially manatees, is  
25 currently the principal scientist under the contract with  
26 Jacksonville University; and

27 **WHEREAS**, effective on September 11, 2018, the City Council  
28 approved legislation, Ordinance 2018-540-E, authorizing the City to  
29 enter into a contract with Jacksonville University for supporting a  
30 manatee protection plan in the St. Johns River; and

31 **WHEREAS**, subsequently, from October 1, 2018 through September

1 30, 2022, the City of Jacksonville entered into amendments to the  
2 contract, exercising renewal options in Ordinances 2019-645-E,  
3 2020-588-E, 2021-718-E and 2023-54-E; and

4 **WHEREAS,** Jacksonville University has compiled a comprehensive  
5 database for the Duval County Manatee Protection Plan over the last  
6 20 years; and

7 **WHEREAS,** the City of Jacksonville desires to continue the  
8 study of the manatees and boaters in the most cost effective manner  
9 without interruption; and

10 **WHEREAS,** the current contract, as renewed, with Jacksonville  
11 University expired on September 30, 2023, and is not eligible for  
12 renewal; now therefore

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

14 **Section 1. Authorizing the Mayor and Corporation**  
15 **Secretary to Execute Contract for Continuing Manatee Protection**  
16 **Studies.** Subject to appropriation by the City Council, the Mayor,  
17 or her designee, and Corporation Secretary are authorized to  
18 execute a contract with Jacksonville University for the services of  
19 Dr. Gerard Pinto for continuing manatee protection studies for  
20 fiscal year 2023-2024, with up to four (4) annual renewals, in  
21 substantially the same form as contained in **Exhibit 1** attached  
22 hereto and, by this reference made a part hereof. The Agreement may  
23 include such additions, deletions, and changes as may be  
24 reasonable, necessary, and incidental for carrying out the purpose  
25 thereof, as may be acceptable to the Mayor or her designee, with  
26 such inclusion and acceptance being evidenced by execution of the  
27 Agreement by the Mayor or her designee. No modification of the  
28 Agreement may increase the financial obligations or the liability  
29 of City and any such modification shall be technical only and shall  
30 be subject to appropriate legal review and approval of the General  
31 Counsel or his or her designee and all other appropriate action

1 required by law.

2 **Section 2. Invoking the exemption pursuant to Section**  
3 **126.107(g), Ordinance Code; Authorization to execute contract.**

4 Considering the expertise of Dr. Pinto, the long-standing  
5 relationship between the City and Jacksonville University  
6 concerning manatee research in the Lower St. Johns River, and the  
7 continuing need for marine science support, the Council hereby  
8 invokes Section 126.107(g), *Ordinance Code*, to exempt such services  
9 from competitive solicitation. The City is hereby authorized to  
10 directly procure the services of Jacksonville University without  
11 the necessity of competitive bidding, to perform continuing manatee  
12 protection studies for fiscal year 2023-2024, with up to four (4)  
13 annual renewals. With the exception of the foregoing, all other  
14 provisions of Chapter 126, *Ordinance Code*, shall remain in full  
15 force and effect.

16 **Section 3. Oversight Department.** The Planning and  
17 Development Department shall oversee the project as described  
18 herein.

19 **Section 4. Effective Date.** This Ordinance shall become  
20 effective upon signature by the Mayor or upon becoming effective  
21 without the Mayor's signature.

22  
23 Form Approved:

24  
25           /s/ Mary E. Staffopoulos          

26 Office of General Counsel

27 Legislation Prepared By: Harry M. Wilson, IV