

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Finance Committee:

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5 **ORDINANCE 2019-468-E**

6 AN ORDINANCE AUTHORIZING THE MAYOR AND
7 CORPORATION SECRETARY TO EXECUTE AND DELIVER,
8 FOR AND ON BEHALF OF THE CITY, THE DEVELOPMENT
9 AGREEMENT FOR THE RECONSTRUCTION OF PALM
10 AVENUE BETWEEN THE CITY AND SOUTHERN BAPTIST
11 HOSPITAL OF FLORIDA, INC. (THE "DEVELOPER") IN
12 ORDER TO PROVIDE THE DEVELOPER AUTHORITY FOR
13 THE PLANNING, DESIGN, ENGINEERING, PERMITTING,
14 CEI, AND CONSTRUCTION OF THE PALM AVENUE
15 IMPROVEMENTS AND FOR CITY COST REIMBURSEMENT
16 TO DEVELOPER FOR UNDERTAKING SAID ACTIVITIES;
17 PROVIDING FOR OVERSIGHT BY THE ENGINEERING AND
18 CONSTRUCTION MANAGEMENT DIVISION OF THE PUBLIC
19 WORKS DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

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

22 **Section 1. Execution of Development Agreement authorized.**

23 The Mayor, or his designee, and the Corporation Secretary are
24 hereby authorized to execute and deliver, for and on behalf of the
25 City, the Development Agreement for the Reconstruction of Palm
26 Avenue (the "Agreement") between the City and Southern Baptist
27 Hospital of Florida, Inc. (the "Developer"), in substantially the
28 same form placed **Revised On File** with the Office of Legislative
29 Services. The City's fiscal year 2018-2019 Capital Improvement
30 Program includes the Palm Avenue Improvements Project, which is

1 proposed for funding over a three year period. Fiscal year funding
2 in the amount of \$480,000.00 is currently appropriated for
3 expenditure. Future years funding for fiscal year 2019-2020 and
4 fiscal year 2020-2021 in the amount of \$2,210,000.00 each year is
5 proposed for appropriation during those applicable years. Total
6 City funding for the Palm Avenue Improvements is proposed at
7 \$4,900,000.00. Notwithstanding the proposed future year funding
8 appropriations, the Developer hereby understands and acknowledges
9 that future year funding appropriations are subject to City Council
10 appropriation each fiscal year and there is no guarantee funding
11 will be appropriated.

12 **Section 2. Purpose.** The purpose of the Agreement is to
13 provide the Developer authority for the planning, design,
14 engineering, permitting, CEI, and construction of the Palm Avenue
15 improvements and for City cost reimbursement to Developer for
16 undertaking said activities. The Agreement will help facilitate the
17 reconstruction of Palm Avenue and the development of the
18 Developer's property, which is adjacent to City-owned right-of-way
19 on Palm Avenue located between Prudential Drive and Gary Street.
20 Improvements require an increase in the width of Palm Avenue from
21 60 feet to 100 feet, for which the right-of-way shall be donated by
22 Developer. The Palm Avenue Improvements serve a public purpose as a
23 means for the City to meet its infrastructure improvements and
24 public safety needs.

25 **Section 3. Oversight.** Oversight shall be provided by
26 the Engineering and Construction Management Division of the Public
27 Works Department.

28 **Section 4. Effective Date.** This ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

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Form Approved:

/s/ Paige H. Johnston

Office of General Counsel

Legislation prepared by: James R. McCain, Jr.

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