

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-373**

5 AN ORDINANCE APPROPRIATING \$2,200,000 FROM THE
6 MARINE FIRE STATION NO. 68 (NEW) - DM OTHER
7 CONSTRUCTION COSTS ACCOUNT TO THE MARINE FIRE
8 STATION NO. 68 (NEW) - DM LAND ACCOUNT TO BE
9 USED FOR THE ACQUISITION BY THE CITY OF A 3.27±
10 ACRE PARCEL LOCATED AT 10562 SCOTT MILL ROAD,
11 JACKSONVILLE, FLORIDA (R.E. NO. 158834-0000) IN
12 COUNCIL DISTRICT 6, TO BE USED FOR THE NEW MARINE
13 FIRE STATION NO. 68, AS INITIATED BY B.T. 23-
14 098; APPROVING AND AUTHORIZING THE MAYOR, OR HIS
15 DESIGNEE, AND THE CORPORATION SECRETARY TO
16 EXECUTE AND DELIVER THAT CERTAIN REAL ESTATE
17 PURCHASE AGREEMENT (THE "AGREEMENT") BETWEEN THE
18 CITY OF JACKSONVILLE AND PHILLIP AND SUZANNE
19 NOE, AND ALL CLOSING AND OTHER DOCUMENTS
20 RELATING THERETO, AND TO OTHERWISE TAKE ALL
21 NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF
22 THE AGREEMENT TO PURCHASE THE SUBJECT PROPERTY
23 AT THE NEGOTIATED PURCHASE PRICE OF \$2,100,000;
24 AMENDING THE 2023-2027 FIVE-YEAR CAPITAL
25 IMPROVEMENT PLAN APPROVED BY ORDINANCE 2022-505-
26 E TO REFLECT THIS TRANSFER OF FUNDS FOR THE
27 PURCHASE OF LAND FOR THE NEW MARINE FIRE STATION
28 NO. 68; PROVIDING FOR OVERSIGHT OF ACQUISITION
29 OF THE PROPERTY BY THE REAL ESTATE DIVISION OF
30 THE DEPARTMENT OF PUBLIC WORKS, AND OVERSIGHT
31 THEREAFTER BY THE JACKSONVILLE FIRE AND RESCUE

1 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

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

4 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
5 within the City's budget, there is hereby appropriated the indicated
6 sum(s) from the account(s) listed in subsection (a) to the account(s)
7 listed in subsection (b):

8 (B.T. 23-098, attached hereto as **Exhibit 1** and incorporated herein
9 by this reference)

10 (a) Appropriated from:

11 See B.T. 23-098 \$2,200,000

12 (b) Appropriated to:

13 See B.T. 23-098 \$2,200,000

14 (c) Explanation of Appropriation:

15 The funding above represents an appropriation of \$2,200,000
16 from the Marine Fire Station No. 68 (new) - DM Other
17 Construction Costs account to the Marine Fire Station No.
18 68 (new) - DM Land account for the purchase of 3.27± acres
19 of real property located at 10562 Scott Mill Road,
20 Jacksonville, Florida.

21 **Section 2. Purpose.** The purpose of the appropriation in
22 Section 1 is to provide funding for the purchase of residential
23 property located on Scott Mill Road to be used for the new Marine
24 Fire Station No. 68 (the "Project"). The property is located on the
25 St. Johns River and is already outfitted with residential structure
26 and a boat dock. This acquisition will allow the City to convert the
27 property to a marine fire station to provide full-time marine coverage
28 in the waterways of southern Jacksonville, including Mandarin, Naval
29 Air Station Jacksonville, Buckman Bridge and Julington Creek. Current
30 response time from the closest full-time staffed marine unit in
31 Metropolitan Park is approximately 25 minutes to the Mandarin/Buckman

1 Bridge area.

2 **Section 3. Approval and Authorization to Execute Real**
3 **Estate Purchase Agreement.** The Real Estate Purchase Agreement (the
4 "Agreement") provides for the acquisition of an improved 3.27± acre
5 residential parcel located at 10562 Scott Mill Road (R.E. No. 158834-
6 0000) in Council District 6, as depicted on **Exhibit 2** (the
7 "Property"), to be converted into the new Marine Fire Station No. 68.
8 There is hereby approved, and the Mayor, or his designee, and the
9 Corporation Secretary are hereby authorized to execute and deliver,
10 for and on behalf of the City, that certain Real Estate Purchase
11 Agreement between the City of Jacksonville and Phillip and Suzanne
12 Noe (the "Sellers"), in substantially the form attached hereto as
13 **Exhibit 3** and incorporated herein by this reference, and all such
14 closing and other documents necessary or appropriate to effectuate
15 the purpose of this Ordinance (with such "technical" changes as herein
16 authorized). The negotiated purchase price of the property is
17 \$2,100,000 and is supported by an appraisal obtained by the City.
18 The Agreement does not require a deposit from the City.

19 The Real Estate Purchase Agreement, and any and all closing and
20 other documents related thereto, may include such additions,
21 deletions, and changes as may be reasonable, necessary, and incidental
22 for carrying out the purposes thereof, as may be acceptable to the
23 Mayor, or his designee, with such inclusion and acceptance being
24 evidenced by execution of the Agreement by the Mayor, or his designee;
25 provided however, no modification of the Agreement or related
26 documents may increase the financial obligations or liability of the
27 City to an amount in excess of the amount stated in the Agreement or
28 decrease the financial obligations or liability of the Sellers, and
29 any such modification shall be technical only and shall be subject
30 to appropriate legal review and approval by the Office of General
31 Counsel. For purposes of this Ordinance, the term "technical changes"

1 is defined as those changes having no financial impact to the City,
2 including, but not limited to, changes in legal descriptions or
3 surveys, ingress and egress, easements and rights of way, design
4 standards, access and site plans, resolution of title defects, if
5 any, and other non-substantive changes that do not substantively
6 increase the duties and responsibilities of the City under the
7 provisions of the Agreement.

8 **Section 4. Capital Improvement Plan Amendment.** Ordinance
9 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan
10 (the "CIP") for the City and certain of its independent agencies, is
11 hereby amended to transfer \$2,200,000 from the Marine Fire Station
12 No. 68 (new) Construction account to the Marine Fire Station No. 68
13 (new) Land Acquisition and Site Preparation account, as more fully
14 described in the Project Information Sheet attached hereto as **Exhibit**
15 **4** and incorporated herein by this reference. The City Council finds
16 that the deferral of this amendment of the CIP until the next annual
17 budget and CIP review will be detrimental to the best interests of
18 the community because such deferral would result in the unnecessary
19 delay of the acquisition of property for the new Marine Fire Station
20 No. 68.

21 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
22 this Ordinance requires the affirmative vote of two-thirds of the
23 City Council members present at the meeting because of the CIP
24 amendment set forth in this section. This Ordinance shall constitute
25 an amendment to Ordinance 2022-505-E. In all other respects, the
26 Five-Year Capital Improvement Plan approved by Ordinance 2022-505-E
27 shall remain unchanged and continue in full force and effect.

28 **Section 5. Oversight.** The Real Estate Division of the
29 Department of Public Works shall provide oversight of acquisition of
30 the property; the Jacksonville Fire and Rescue Department shall have
31 oversight thereafter.

1 **Section 6. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

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7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation prepared by: Mary E. Staffopoulos

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