

1 Introduced by Council Member J. Carlucci:  
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4 **ORDINANCE 2026-461**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE  
6 MAYOR, OR HER DESIGNEE, AND THE CORPORATION  
7 SECRETARY TO EXECUTE AND DELIVER, FOR AND ON  
8 BEHALF OF THE CITY, THAT CERTAIN SOVEREIGNTY  
9 SUBMERGED LANDS LEASE (BOT FILE NO. 164301902)  
10 (THE "LEASE") BETWEEN THE CITY OF JACKSONVILLE,  
11 ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC, AND  
12 DISTRICT COMMUNITY DEVELOPMENT DISTRICT  
13 (COLLECTIVELY, THE "LESSEE") AND THE BOARD OF  
14 TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND  
15 OF THE STATE OF FLORIDA ("LESSOR") FOR  
16 CONSTRUCTION AND OPERATION OF A 125-SLIP  
17 COMMERCIAL MARINA DOCKING FACILITY INCLUDING 1  
18 SLIP DESIGNATED FOR WATER TAXI USAGE AND A KAYAK  
19 LAUNCH, TO BE USED EXCLUSIVELY FOR THE MOORING  
20 OF RECREATIONAL VESSELS, IN CONJUNCTION WITH AN  
21 UPLAND COMMERCIAL MIXED USE DEVELOPMENT, FOR A  
22 LEASE TERM EXPIRING ON DECEMBER 17, 2034, WITH  
23 AN INITIAL ANNUAL LEASE FEE OF \$62,665.68, AND  
24 A 25% SURCHARGE, PLUS SALES TAX, AS APPLICABLE,  
25 FOR THE 452,243 SQUARE FOOT REVENUE GENERATING  
26 LEASE AREA, SUBJECT TO ANNUAL ADJUSTMENTS TO THE  
27 LEASE FEE THEREAFTER IN ACCORDANCE WITH RULE  
28 18-21.011, *FLORIDA ADMINISTRATIVE CODE*;  
29 PROVIDING FURTHER AUTHORIZATIONS; PROVIDING FOR  
30 OVERSIGHT OF EXECUTION AND RECORDING OF THE  
31 LEASE BY THE REAL ESTATE DIVISION OF THE

1 DEPARTMENT OF PUBLIC WORKS AND OVERSIGHT OF THE  
2 LEASE AND DOCKING FACILITY BY THE PARKS,  
3 RECREATION AND COMMUNITY SERVICES DEPARTMENT  
4 THEREAFTER; REQUESTING EMERGENCY PASSAGE UPON  
5 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.  
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7 **BE IT ORDAINED** by the Council of the City of Jacksonville:

8 **Section 1. Sovereignty Submerged Lands Lease Approved.**

9 There is hereby approved, and the Mayor, or her designee, and the  
10 Corporation Secretary are hereby authorized to execute and deliver,  
11 that certain Sovereignty Submerged Lands Lease (BOT File No.  
12 164301902) between the City of Jacksonville, Elements Development of  
13 Jacksonville, LLC ("Elements"), and District Community Development  
14 District (collectively, the "Lessee") and the Board of Trustees of  
15 the Internal Improvement Trust Fund of the State of Florida (the  
16 "Lessor"), in substantially the same form placed **On File** with the  
17 Legislative Services Division (the "Lease"). This Lease authorizes  
18 the Lessee to construct and operate a 125-slip commercial marina  
19 docking facility including 1 slip designated for water taxi usage  
20 (117 slips on sovereignty submerged lands and 8 slips partially on  
21 privately owned submerged lands, with up to 10 slips that may be used  
22 by vessels occupied by a person or persons on an overnight basis) and  
23 a kayak launch, to be used exclusively for the mooring of recreational  
24 vessels in conjunction with an upland commercial mixed-use  
25 development, without fueling facilities, with a sewage pumpout  
26 facility if meeting regulatory requirements. The 452,243 square foot  
27 lease area is considered revenue generating due to the planned  
28 operation of the commercial marina and is therefore subject to payment  
29 of an annual lease fee, in the initial amount of \$62,665.68, and a  
30 25 percent surcharge, plus sales tax pursuant to Section 212.031,  
31 *Florida Statutes*, as applicable. The initial annual lease fee of

1 \$62,665.68 will be adjusted annually pursuant to the provisions of  
2 Rule 18-21.011, *Florida Administrative Code*, for the remaining years  
3 of the Lease term. City, Elements and The District have agreed and  
4 acknowledged that City shall have no responsibility for payment of  
5 annual lease fees and related surcharges due under the Lease, and  
6 Elements and The District, as the Co-Lessees of City, have agreed to  
7 pay all such fees due under the Lease for the term thereof, including  
8 the initial annual lease fee and surcharge.

9       **Section 2. Further Authorizations.** As of the date of  
10 filing of this Ordinance, Elements is actively pursuing a land swap  
11 of certain upland real property with the State of Florida (the "Land  
12 Swap"). Element's current ownership of such upland land necessitates  
13 that Elements be a Co-Lessee under the Lease. However, should the  
14 State of Florida approve the Land Swap, which matter is anticipated  
15 to be considered at the June 9 meeting of the Governor and Cabinet,  
16 an amendment of the Lease will be required to remove Elements as a  
17 Co-Lessee and to modify the legal description and square footage of  
18 the lease area. In such event, and subject to appropriate legal review  
19 and approval by the Office of General Counsel, the Mayor, or her  
20 designee, are hereby authorized to execute such required amendment  
21 to the Lease, or other technical modification, as necessary or  
22 desirable to carry out the purposes of this Lease; provided, however,  
23 that no such modification or amendment may increase the financial  
24 obligations or liability of the City to an amount in excess of the  
25 amount stated in the Lease, or modify the term of the Lease, with any  
26 such amendment being subject to the prior legal review and approval  
27 of the Office of General Counsel.

28       **Section 3. Oversight Departments.** The Real Estate Division  
29 of the Department of Public Works shall provide initial oversight of  
30 the execution and recording of the Lease. The Parks, Recreation and  
31 Community Services Department shall thereafter provide oversight of

1 the Lease and the various facilities within the leased areas.

2 **Section 4. Requesting Emergency Passage Upon Introduction.**

3 Emergency passage upon introduction of this legislation is requested.  
4 The nature of the emergency is that the State of Florida cannot  
5 consider the contemplated Land Swap until the Lease has been executed  
6 by City and its Co-Lessee parties, and the best opportunity for such  
7 consideration by the State this term will occur on June 9, 2026.

8 **Section 5. Effective Date.** This Ordinance shall become

9 effective upon signature by the Mayor or upon becoming effective  
10 without the Mayor's signature.

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12 Form Approved:

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14           /s/ Harry M. Wilson, IV          

15 Office of General Counsel

16 Legislation Prepared By: Harry M. Wilson, IV

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