

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-468**

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

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

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

22 The Mayor, or his designee, and the Corporation Secretary are
23 hereby authorized to execute and deliver, for and on behalf of the
24 City, the Development Agreement for the Reconstruction of Palm
25 Avenue (the "Agreement") between the City and Southern Baptist
26 Hospital of Florida, Inc. (the "Developer"), in substantially the
27 same form placed **ON FILE** with the Office of Legislative Services.
28 The City's fiscal year 2018-2019 Capital Improvement Program
29 includes the Palm Avenue Improvements Project, which is proposed
30 for funding over a three year period. Fiscal year funding in the
31 amount of \$480,000.00 is currently appropriated for expenditure.

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

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

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

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

1 Form Approved:

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3 /S/ James R. McCain, Jr.

4 Office of General Counsel

5 Legislation prepared by: James R. McCain, Jr.

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