

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Transportation, Energy and Utilities Committee:
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5 **ORDINANCE 2024-325-E**

6 AN ORDINANCE APPROPRIATING \$200,000.00 IN FUND
7 BALANCE FROM THE ENVIRONMENTAL PROTECTION FUND
8 TO THE UNIVERSITY OF FLORIDA CENTER FOR COASTAL
9 SOLUTIONS THROUGH THE UNIVERSITY OF FLORIDA
10 BOARD OF TRUSTEES ("UNIVERSITY OF FLORIDA") TO
11 CONDUCT A SEPTIC TANK VULNERABILITY ASSESSMENT
12 PROJECT FOR SINGLE-FAMILY RESIDENTIAL SEPTIC
13 SYSTEMS IN DUVAL COUNTY, AS INITIATED BY B.T.
14 24-095; PROVIDING FOR CARRYOVER TO FISCAL YEAR
15 2024-2025; INVOKING THE EXEMPTION OF SECTION
16 126.107(G) (EXEMPTIONS), CHAPTER 126
17 (PROCUREMENT CODE), *ORDINANCE CODE*, TO DIRECT
18 CONTRACT WITH UNIVERSITY OF FLORIDA; APPROVING
19 AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND
20 THE CORPORATION SECRETARY TO EXECUTE AND DELIVER
21 THAT CERTAIN RESEARCH AGREEMENT FOR THE SEPTIC
22 TANK VULNERABILITY ASSESSMENT PROJECT
23 ("AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE
24 AND UNIVERSITY OF FLORIDA; WAIVING SECTION
25 118.107 (NONPROFITS TO RECEIVE FUNDING THROUGH
26 A COMPETITIVE EVALUATED AWARD PROCESS), PART 1
27 (GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS),
28 *ORDINANCE CODE*, TO ALLOW A DIRECT CONTRACT WITH
29 UNIVERSITY OF FLORIDA; WAIVING SECTION 110.112
30 (ADVANCE OF CITY FUNDS; PROHIBITION AGAINST),
31 PART 1 (THE CITY TREASURY), CHAPTER 110 (CITY

TREASURY), *ORDINANCE CODE*, TO ALLOW FOR ADVANCE
PAYMENT TO UNIVERSITY OF FLORIDA; PROVIDING FOR
CITY OVERSIGHT BY THE NEIGHBORHOODS DEPARTMENT,
ENVIRONMENTAL QUALITY DIVISION; REQUIRING
ANNUAL REPORTS AND A FINAL REPORT TO
JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD;
PROVIDING AN EFFECTIVE DATE.

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

Section 1. Appropriation. For the 2023-2024 fiscal year,
within the City's budget, there are hereby appropriated the indicated
sum(s) from the account(s) listed in subsection (a) to the account(s)
listed in subsection (b):

(B.T. 24-095 attached hereto as **Exhibit 1**, and incorporated herein
by this reference)

(a) Appropriated from:

See B.T. 24-095 \$200,000.00

(b) Appropriated to:

See B.T. 24-095 \$200,000.00

(c) Explanation of appropriation:

The funding above is appropriating fund balance from the
Environmental Protection Fund to fund a septic tank
vulnerability assessment project for single-family
residential septic systems in Duval County (the "Project").

Section 2. Purpose. The purpose of the appropriation in
Section 1 is to provide funding to the University of Florida Center
for Coastal Solutions through the University of Florida Board of
Trustees ("University of Florida") for the Project which shall be
completed pursuant to the terms, conditions and scope of work more
particularly described in that certain Research Agreement for the
Septic Tank Vulnerability Assessment Project between the City of

1 Jacksonville ("City") and University of Florida (the "Agreement"),
2 as approved and authorized in Section 5 below. The City's
3 Environmental Protection Board approved this expenditure of the
4 Environmental Protection Fund at its meeting on January 16, 2024, as
5 reflected in the Monthly Meeting Summary attached hereto as **Exhibit**
6 **2** and incorporated herein by reference. Payment to University of
7 Florida will be made pursuant to the terms and conditions of the
8 Agreement.

9 The Project will include a multi-criteria vulnerability
10 assessment of all single-family residential septic systems in Duval
11 County and prioritization of single-family residential septic-to-
12 sewer conversion projects. These two tasks will empower the City to
13 identify in a data-driven and geographically standardized way the
14 level of risk of septic systems in Duval County, and to create
15 septic-to-sewer conversion project groupings that are financially and
16 spatially efficient and in a manner likely to reduce the risk of
17 septic system failure.

18 **Section 3. Carryover.** The funds appropriated herein shall
19 not lapse but shall carryover to fiscal year 2024-2025.

20 **Section 4. Invoking the Exemption Pursuant to Section**
21 **126.107(g), Ordinance Code.** The City is hereby authorized to enter
22 into the Agreement authorized in Section 5 below. Pursuant to Section
23 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
24 (Procurement Code), *Ordinance Code*, such procurement is exempted from
25 competitive solicitation because the supplies or services are to be
26 provided by those specifically prescribed within authorizing
27 legislation that appropriates the same. With the exception of the
28 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
29 remain in full force and effect.

30 **Section 5. Approval and Authorization of the Agreement.**
31 There is hereby approved, and the Mayor or her designee, and the

1 Corporation Secretary are hereby authorized, to execute and deliver,
2 for and on behalf of the City, the Agreement substantially in the
3 form placed **Second Revised On File** with the Legislative Services
4 Division, and any respective extension or amendments thereto as
5 necessary and appropriate to effectuate the intent of this Ordinance.

6 **Section 6. Waiving Section 118.107 (Nonprofits to receive**
7 **funding through a competitive evaluated award process), Part 1**
8 **(General Provisions), Chapter 118 (City Grants), Ordinance Code.** The
9 provisions of Section 118.107 (Nonprofits to receive funding through
10 a competitive evaluated award process), Part 1 (General Provisions),
11 Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow
12 for a direct contract between the City and University of Florida. The
13 City finds that this waiver is justified because the University of
14 Florida is uniquely positioned to perform the Project in a timely
15 manner given its prior work related to the Project and its proprietary
16 software and tools.

17 **Section 7. Waiving Section 110.112, Ordinance Code.**
18 Section 110.112 (Advance of City funds; prohibition against), Part 1
19 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*, is
20 hereby waived to allow for advance payment to University of Florida
21 as provided in the Agreement. The City finds that this waiver is
22 justified because University of Florida is a non-profit that requires
23 this advance funding in order to commence the Project.

24 **Section 8. Oversight Department.** The Neighborhoods
25 Department, Environmental Quality Division, shall oversee the
26 Project.

27 **Section 9. Reports.** Annual reports shall be submitted by
28 University of Florida to the City's Environmental Protection Board
29 on September 15th of each year through Project completion. A final
30 report shall be submitted at the conclusion of the Project.

31 **Section 10. Effective Date.** This Ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective
2 without the Mayor's signature.

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4 Form Approved:

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6 /s/ Mary E. Staffopoulos

7 Office of General Counsel

8 Legislation Prepared By: Joelle J. Dillard

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