

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Neighborhoods, Community Services, Public Health and  
3 Safety Committee:  
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6 **ORDINANCE 2023-83-E**

7 AN ORDINANCE APPROPRIATING \$900,000 FROM THE  
8 LASALLE STREET OUTFALL - DM OTHER CONSTRUCTION  
9 COSTS ACCOUNT TO THE LASALLE STREET OUTFALL - DM  
10 LAND ACCOUNT TO PROVIDE FUNDING FOR ACQUISITION  
11 BY THE CITY OF A 0.12± ACRE PARCEL LOCATED AT  
12 936 LASALLE STREET, JACKSONVILLE, FLORIDA (R.E.  
13 NO. 080493-0000) IN COUNCIL DISTRICT 5, TO BE  
14 USED FOR CONSTRUCTION OF THE LASALLE STREET PUMP  
15 STATION, AS INITIATED BY B.T. 23-044; APPROVING  
16 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND  
17 THE CORPORATION SECRETARY TO EXECUTE AND DELIVER  
18 THAT CERTAIN PURCHASE AND SALE AGREEMENT (THE  
19 "AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE  
20 AND ARBEN DARAGJATI, AND ALL CLOSING AND OTHER  
21 DOCUMENTS RELATING THERETO, AND TO OTHERWISE  
22 TAKE ALL NECESSARY ACTION TO EFFECTUATE THE  
23 PURPOSES OF THE AGREEMENT TO PURCHASE THE  
24 SUBJECT PROPERTY AT THE NEGOTIATED PURCHASE  
25 PRICE OF \$900,000; AMENDING THE 2023-2027  
26 FIVE-YEAR CAPITAL IMPROVEMENT PLAN APPROVED BY  
27 ORDINANCE 2022-505-E TO REFLECT THIS  
28 REALLOCATION OF FUNDS FOR ACQUISITION OF LAND  
29 FOR THE LASALLE STREET OUTFALL PROJECT;  
30 PROVIDING FOR OVERSIGHT OF ACQUISITION OF THE  
31 PROPERTY BY THE REAL ESTATE DIVISION OF THE

PUBLIC WORKS DEPARTMENT AND THEREAFTER BY THE  
PUBLIC WORKS DEPARTMENT; REQUESTING ONE CYCLE  
EMERGENCY PASSAGE; PROVIDING AN EFFECTIVE DATE.

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

**Section 1. Appropriation.** For the 2022-2023 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. 23-044 attached hereto as **Exhibit 1** and incorporated herein by this reference)

(a) Appropriated from:

See B.T. 23-044 \$900,000

(b) Appropriated to:

See B.T. 23-044 \$900,000

(c) Explanation of Appropriation:

The funding above represents an appropriation of \$900,000 from the Lasalle Street Outfall - DM Other Construction Costs account to the Lasalle Street Outfall - DM Land account for the purchase of 0.12± acres of improved real property located at 936 Lasalle Street, Jacksonville, Florida.

**Section 2. Purpose.** The purpose of the appropriation in Section 1 is to provide funding for the purchase of residential property located on Lasalle Street to be used for construction of the Lasalle Street pump station (the "Project"). The Project will provide drainage improvements in the San Marco area to alleviate roadway flooding caused by heavy rainfall and high tides. The City's appraised value for the subject property is \$480,000 but the seller will not accept less than \$900,000. In light of the estimated costs to pursue a condemnation action, and in the interest of time, the

1 City has agreed to purchase the property for \$900,000.

2       **Section 3. Approval and Authorization.** The Purchase and  
3 Sale Agreement (the "Agreement") provides for the acquisition of an  
4 improved 0.12± acre residential parcel located at 936 Lasalle Street  
5 (R.E. No. 080493-0000), near the corner of Lasalle Street and River  
6 Road, in Council District 5, as depicted on **Exhibit 2** (the  
7 "Property"), to be used for construction of the Lasalle Street pump  
8 station. There is hereby approved, and the Mayor, or his designee,  
9 and the Corporation Secretary are hereby authorized to execute and  
10 deliver on behalf of the City, that certain Purchase and Sale  
11 Agreement between the City of Jacksonville and Arben Daragjati (the  
12 "Seller"), in substantially the form as is attached hereto as **Revised**  
13 **Exhibit 3**, labeled as "Revised Exhibit 3, Rev Agmt, February 21, 2023  
14 - NCSPHS" and incorporated herein by this reference, and all such  
15 closing and other documents necessary or appropriate to effectuate  
16 the purpose of this Ordinance (with such "technical" changes as herein  
17 authorized). The negotiated purchase price of the Property is  
18 \$900,000. This site will allow the Public Works Department to  
19 complete the Project to address drainage and flooding issues in the  
20 San Marco area. The Agreement does not require a deposit from the  
21 City.

22       The Purchase and Sale Agreement, and any and all closing and  
23 other documents related thereto, may include such additions,  
24 deletions, and changes as may be reasonable, necessary, and incidental  
25 for carrying out the purposes thereof, as may be acceptable to the  
26 Mayor, or his designee, with such inclusion and acceptance being  
27 evidenced by execution of the Agreement by the Mayor, or his designee;  
28 provided however, no modification of the Agreement or related  
29 documents may increase the financial obligations or liability of the  
30 City to an amount in excess of the amount stated in the Agreement or  
31 decrease the financial obligations or liability of the Seller, and

1 any such modification shall be technical only and shall be subject  
2 to appropriate legal review and approval by the Office of General  
3 Counsel. For purposes of this Ordinance, the term "technical changes"  
4 is defined as those changes having no financial impact to the City,  
5 including, but not limited to, changes in legal descriptions or  
6 surveys, ingress and egress, easements and rights of way, design  
7 standards, access and site plans, resolution of title defects, if  
8 any, and other non-substantive changes that do not substantively  
9 increase the duties and responsibilities of the City under the  
10 provisions of the Agreement.

11       **Section 4.       Capital Improvement Plan Amendment.** Ordinance  
12 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan  
13 (the "CIP") for the City and certain of its independent agencies, is  
14 hereby amended to transfer \$900,000 from Construction to Land  
15 Acquisition and Site Preparation so that the funds are in the  
16 appropriate account to procure additional property for the Project  
17 as more fully described in the Project Information Sheet attached  
18 hereto as **Exhibit 4** and incorporated herein by this reference. The  
19 City Council finds that the deferral of this amendment of the CIP  
20 until the next annual budget and CIP review will be detrimental to  
21 the best interests of the community because such deferral will  
22 unnecessarily delay completion of the Project.

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

30       **Section 5.       Oversight.** The Real Estate Division of the  
31 Public Works Department shall oversee the acquisition of the Property;

1 the Public Works Department shall have oversight thereafter.

2           **Section 6.           Requesting One Cycle Emergency Passage Pursuant**  
3 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this  
4 legislation is requested. The nature of the emergency is that the  
5 Seller has requested that closing on the property occur as soon as  
6 possible. In addition, the City cannot pursue permitting for the  
7 Project until the closing has occurred and the City has title to the  
8 property.

9           **Section 7.           Effective Date.** This Ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

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13 Form Approved:

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15           /s/ Mary E. Staffopoulos          

16 Office of General Counsel

17 Legislation prepared by: Mary E. Staffopoulos

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