

1 Introduced by Council Member Clark-Murray:
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4 **ORDINANCE 2026-207**

5 AN ORDINANCE APPROPRIATING \$355,000 FROM THE JAX
6 RECREATION & ENVIRONMENTAL LAND ACQUISITION FUND
7 - INVESTMENT POOL EARNINGS ACCOUNT TO THE MCDUFF
8 AVENUE PARK PROJECT - LAND ACQUISITION COST
9 ACCOUNT TO PROVIDE FUNDING FOR THE CITY'S
10 PURCHASE OF SIX (6) PROPERTIES LOCATED AT 0
11 MCDUFF AVENUE NORTH (R.E. NOS. 056005-0000,
12 056006-0000, 056007-0000), 957 MCDUFF AVENUE
13 NORTH (R.E. NO. 056008-0000), 961 MCDUFF AVENUE
14 NORTH (R.E. NO. 056009-0000), AND 971 MCDUFF
15 AVENUE NORTH (R.E. NO. 056010-0000),
16 JACKSONVILLE, FLORIDA, IN COUNCIL DISTRICT 9
17 (COLLECTIVELY, THE "PROPERTY"), NEAR WESTBROOK
18 CENTER AND PARK, TO BE USED AS A PASSIVE PARK;
19 APPROVING AND AUTHORIZING THE MAYOR, OR HER
20 DESIGNEE, AND THE CORPORATION SECRETARY TO
21 EXECUTE AND DELIVER THAT CERTAIN REAL ESTATE
22 PURCHASE AND SALE AGREEMENT (THE "AGREEMENT")
23 BETWEEN THE CITY OF JACKSONVILLE AND KEVIN
24 THIGPEN AND WILLIAM TAYLOR, AND ALL CLOSING AND
25 OTHER DOCUMENTS CONTEMPLATED THEREIN OR RELATING
26 THERETO, AND TO OTHERWISE TAKE ALL NECESSARY
27 ACTION TO EFFECTUATE THE PURPOSES OF THE
28 AGREEMENT TO PURCHASE THE SUBJECT PROPERTY AT A
29 NEGOTIATED PURCHASE PRICE NOT TO EXCEED
30 \$350,000; AMENDING THE 2026-2030 FIVE-YEAR
31 CAPITAL IMPROVEMENT PLAN APPROVED BY ORDINANCE

1 2025-505-E TO REFLECT THIS APPROPRIATION OF
2 FUNDS TO A NEW PROJECT ENTITLED "MCDUFF AVENUE
3 PARK;" PROVIDING FOR OVERSIGHT BY THE REAL
4 ESTATE DIVISION OF THE PUBLIC WORKS DEPARTMENT
5 FOR THE ACQUISITION OF THE PROPERTY AND BY THE
6 PARKS, RECREATION, AND COMMUNITY SERVICES
7 DEPARTMENT THEREAFTER; PROVIDING AN EFFECTIVE
8 DATE.

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

11 **Section 1. Appropriation.** For the 2025-2026 fiscal year,
12 within the City's budget, there are hereby appropriated the indicated
13 sum(s) from the account(s) listed in subsection (a) to the account(s)
14 listed in subsection (b):

15 (The account information is attached hereto as **Exhibit 1**, labeled as
16 and incorporated herein by this reference)

17 (a) Appropriated from:

18 See **Exhibit 1** \$355,000

19 (b) Appropriated to:

20 See **Exhibit 1** \$355,000

21 (c) Explanation of Appropriation:

22 The funding above represents an appropriation of \$355,000
23 from the Jax Recreation & Environmental Land Acquisition
24 Fund - Investment Pool Earnings account to the McDuff
25 Avenue Park project - Land Acquisition Cost account to
26 provide funding for the purchase of six (6) properties
27 located at 0 McDuff Avenue North (R.E. Nos. 056005-0000,
28 056006-0000, 056007-0000), 957 McDuff Avenue North (R.E.
29 No. 056008-0000), 961 McDuff Avenue North (R.E. No.
30 056009-0000), and 971 McDuff Avenue North (R.E. No.
31 056010-0000), Jacksonville, Florida, in Council District 9

1 (collectively, the "Property") for the City's use as
2 additional passive park space (the "Project").

3 **Section 2. Purpose.** The purpose of the appropriation in
4 Section 1 is to provide funding for the acquisition of the Property
5 for the Project.

6 **Section 3. Approval and Authorization to Execute Real**
7 **Estate Purchase and Sale Agreement and Closing Documents.** The Real
8 Estate Purchase and Sale Agreement (the "Agreement") provides for the
9 acquisition of the Property, as described and depicted on **Exhibit 2,**
10 for the City's use as additional passive park space near Westbrook
11 Center and Park. There is hereby approved, and the Mayor, or her
12 designee, and the Corporation Secretary are hereby authorized to
13 execute and deliver, for and on behalf of the City, that certain Real
14 Estate Purchase and Sale Agreement between the City and Seller,
15 substantially in the form placed **On File** with the Legislative Services
16 Division, and all such closing and other documents necessary or
17 appropriate to effectuate the purpose of this Ordinance (with such
18 "technical" changes as herein authorized). The purchase price of the
19 Property shall not exceed \$350,000 and is supported by an appraisal
20 obtained by the City, provided the City may pay closing costs as
21 contemplated by the Agreement. The Agreement does not require a
22 deposit from the City.

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

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

13 **Section 4. Capital Improvement Plan Amendment.** Ordinance
14 2025-505-E, adopting the 2026-2030 Five-Year Capital Improvement Plan
15 (the "CIP") for the City and certain of its independent agencies, is
16 hereby amended to create a new CIP project entitled "McDuff Avenue
17 Park" and to reflect this appropriation of funds to the Project as
18 more fully described in the Project Information Sheet attached hereto
19 as **Exhibit 3** and incorporated herein by this reference. The City
20 Council finds that the deferral of this amendment of the CIP until
21 the next annual budget and CIP review will be detrimental to the best
22 interests of the community because such deferral could result in loss
23 of the opportunity to purchase the Property and an inability to
24 proceed with the expansion of City park property.

25 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
26 this Ordinance requires the affirmative vote of two-thirds of the
27 City Council members present at the meeting because of the CIP
28 amendment set forth in this section. This Ordinance shall constitute
29 an amendment to Ordinance 2025-505-E. In all other respects, the
30 Five-Year Capital Improvement Plan approved by Ordinance 2025-505-E
31 shall remain unchanged and continue in full force and effect.

1 **Section 5. Oversight.** The Real Estate Division of the
2 Department of Public Works shall oversee the acquisition of the
3 Property, and the Department of Parks, Recreation, and Community
4 Services shall provide oversight of the Property thereafter.

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

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9 Form Approved:

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11 /S/ Harry M. Wilson

12 Office of General Counsel

13 Legislation Prepared By: Harry M. Wilson, IV

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