

ARIAS FLOOR AMENDMENT

Council Member Arias offers the following Floor Amendment to File No. 2023-881:

- (1) On **page 1, lines 7 and 30, strike** "Jacksonville Sheriff's Office ("JSO") for the provision of traffic control services" and **insert** "General Fund Operating - Miscellaneous Grants and Aids account, to provide a grant to Wells Creek East Homeowners Association, Inc ("Wells Creek East") for the procurement of off-duty traffic control services";
- (2) On **page 1, line 11,** after "FUNDS;" **insert** "INVOKING THE EXEMPTION IN SECTION 126.107(G) (EXEMPTIONS), PART 1 (GENERAL REGULATIONS), CHAPTER 126 (PROCUREMENT CODE), *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT WITH WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC; WAIVING SECTION 118.107 (NONPROFITS TO RECEIVE FUNDING THROUGH A COMPETITIVE EVALUATED AWARD PROCESS), PART 1 (GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS), *ORDINANCE CODE*, TO ALLOW FOR A DIRECT CONTRACT WITH WELLS CREEK EAST; APPROVING, AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE CORPORATION SECRETARY TO EXECUTE AND DELIVER ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND WELLS CREEK EAST FOR THE PROVISION OF SERVICES DESCRIBED HEREIN;";
- (3) On **page 1, line 12 and page 2, lines 15-16, strike** "Jacksonville Sheriff's Office" and **insert** "Grants and Contract Compliance Division of the Finance and Administration Department";
- (4) On **page 1, line 21, strike** "Exhibit 1" and **insert** "Second Revised Exhibit 1, labeled as "Second Revised Exhibit 1, 2nd

Rev B.T., January 10, 2024 - Floor"";

- (5) On **page 1, lines 24 and 26, strike "Exhibit 1" and insert "Second Revised Exhibit 1";**
- (6) On **page 2, lines 2-11, strike Section 2 in its entirety and insert a new Section 2 that reads as follows:**

"Section 2. Purpose. The purpose of the appropriation in Section 1 is to provide funding in the form of a grant to Wells Creek East Homeowners Association, Inc to procure off-duty traffic control services for the intersection of Wells Creek Parkway and Philips Highway. The funds will pay the costs for up to two (2) police officers to provide these services on Mondays through Fridays, from 6:00 a.m. until 9:00 a.m. (or for a shorter period of time within those hours depending on need and availability of off-duty officers), only on days when Duval County Public Schools are in session. Traffic control services will be provided only when off-duty officers are available and have accepted the assignment. Wells Creek East will continue to administer a contract for these services using the funds provided herein until the City funds are exhausted or upon completion of the traffic signal improvements at the subject intersection, whichever occurs first. In the event City funds are exhausted prior to completion of the traffic signal, Wells Creek East and Wells Creek Property Owners Association, Inc. have expressed their intent to equally bear the costs for continued off-duty traffic control services as described herein until completion of the intersection.";

- (7) **On page 2, line 14½, insert new Sections 4, 5 and 6 to read as follows:**

Section 4. Invoking the Exemption in Section 126.107(g), Ordinance Code. The City is hereby authorized to enter into a direct contract with Wells Creek East Homeowners Association, Inc to provide funding in the form of a grant to Wells Creek East for the procurement of off-duty traffic control services for the intersection Wells Creek Parkway and Philips Highway as described herein. Pursuant to Section 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such procurement is exempt from competitive solicitation because the supplies or services are to be provided by those specifically prescribed within authorizing legislation that appropriates the same. With the exception of the foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall remain in full force and effect.

Section 5. Waiver of Section 118.107, Ordinance Code. The provisions of Section 118.107 (Nonprofits to receive funding through a competitive evaluated award process), Part 1 (General Provisions), Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow for a direct contract with Wells Creek East. Wells Creek East is a non-profit homeowner's association for a neighborhood directly adjacent to the Wells Creek Parkway and Philips Highway intersection. Wells Creek East is uniquely situated to oversee and administer a contract for off-duty traffic control services due to its location. The City, in addition to Wells Creek East and other affected property owners and homeowner's associations near the subject intersection, recognizes the need for off-duty traffic control services to address safety concerns in the area and believes

this type of contract is most appropriately administered by a neighboring homeowners/property owners association such as Wells Creek East.

Section 6. Approval and Authorization to Execute.

There is hereby approved, and the Mayor, or her designee, and the Corporation Secretary are hereby authorized to execute and deliver on behalf of the City an agreement with Wells Creek East Homeowners Association, Inc, in an amount not-to-exceed \$25,000, subject to the scope of services attached hereto as **Revised Exhibit 2**, labeled as "Revised Exhibit 2, Rev Scope, January 10, 2024 - Floor" and incorporated herein by this reference, for a term commencing upon the City's execution of the agreement and continuing until the City funds are exhausted, and all other contracts and documents, including extensions, renewals and amendments to the agreement, and to otherwise take all action necessary to effectuate the intent of this Ordinance, subject to appropriate legal review and approval by the Office of General Counsel and the City's Risk Management Division for appropriate insurance and indemnification requirements in accordance with Section 128.601, *Ordinance Code.*";

- (8) Renumber the remaining Sections accordingly;
- (9) Remove **Exhibit 1** and replace with **Second Revised Exhibit 1**, attached hereto, which attaches the second revised B.T. to reflect an appropriation of funds into the General Fund Operating - Miscellaneous Grants and Aids account;
- (10) Remove **Exhibit 2** and replace with **Revised Exhibit 2**, attached hereto, which attaches a scope of services and budget outlining

the term and conditions for Wells Creek East's administration
of a contract for off-duty traffic control services;

- (11) On **page 1, line 1**, amend the introductory sentence to add that
the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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