

Introduced by the Council President at the request of the Mayor:

ORDINANCE 2025-685

AN ORDINANCE APPROPRIATING \$112,962.00 IN FUND
BALANCE FROM THE ENVIRONMENTAL PROTECTION FUND
(THE "FUND") TO PROVIDE FUNDING FOR THE
EIGHTEENTH STATE OF THE RIVER REPORT FOR THE
LOWER ST. JOHNS RIVER BASIN (THE "PROJECT"), AS
INITIATED BY B.T. 25-117; PROVIDING FOR WAIVER
OF SECTION 111.755 (ENVIRONMENTAL PROTECTION
FUND), PART 7 (ENVIRONMENT AND CONSERVATION),
CHAPTER 111 (SPECIAL REVENUE AND TRUST
ACCOUNTS), *ORDINANCE CODE*, TO AUTHORIZE
UTILIZATION OF FUNDS FROM THE FUND TO CONTINUE
FUNDING THE ANNUAL STATE OF THE RIVER REPORT;
PROVIDING FOR WAIVER OF SECTION 360.602 (USES OF
FUND), PART 6 (ENVIRONMENTAL PROTECTION FUND),
CHAPTER 360 (ENVIRONMENTAL REGULATION),
ORDINANCE CODE, TO ALLOW FOR THE UTILIZATION OF
FUNDS FROM THE FUND TO CONTINUE FUNDING THE
ANNUAL STATE OF THE RIVER REPORT; APPROVING, AND
AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE
CORPORATION SECRETARY TO EXECUTE AND DELIVER AN
AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
JACKSONVILLE UNIVERSITY FOR THE PROJECT;
INVOKING THE EXEMPTION IN 126.108(G) (EXEMPTIONS
FROM COMPETITIVE SOLICITATION), SUBPART A
(GENERAL REGULATIONS), PART 1 (GENERAL
REGULATIONS; ETHICS AND TRANSPARENCY IN PUBLIC
CONTRACTING), CHAPTER 126 (PROCUREMENT CODE),

ORDINANCE CODE, TO DIRECT CONTRACT WITH JACKSONVILLE UNIVERSITY FOR THE PROJECT; 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 A DIRECT CONTRACT WITH JACKSONVILLE UNIVERSITY; PROVIDING FOR CARRYOVER OF FUNDS INTO FISCAL YEAR 2025-2026; PROVIDING FOR OVERSIGHT BY THE NEIGHBORHOODS DEPARTMENT, ENVIRONMENTAL QUALITY DIVISION; REQUIRING ANNUAL REPORTS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Appropriation. For the 2024-2025 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. 25-117 attached hereto as **Exhibit 1**, and incorporated herein by this reference)

(a) Appropriated from:

See B.T. 25-117	\$112,962.00
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(b) Appropriated to:

See B.T. 25-117	\$112,962.00
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(c) Explanation of Appropriation:

The appropriation above is fund balance from the Environmental Protection Fund (the "Fund") to procure the professional services of Jacksonville University for preparation of the Eighteenth State of the River Report.

Section 2. Purpose. The purpose of the appropriation in Section 1 is to provide funding for preparation of the Eighteenth

1 State of the River Report which provides a comprehensive, scientific
2 analysis of the health and condition of the Lower St. Johns River
3 Basin (the "Project"). The State of the River Report has been
4 published annually since 2008 and has been funded by the Board as one
5 component of the River Accord, an initiative of various key
6 stakeholders in the area designed to address the immediate needs of
7 the River and to assure its long-term health.

8 In addition to writing and publishing the report, the Project
9 entails producing a single-page brochure that summarizes the State
10 of the River Report in a manner that is understandable and interesting
11 to the general public. The Project is led by Jacksonville University
12 in collaboration with Penn State Berks and University of North Florida
13 and is in keeping with the Board's overall mission to support studies
14 and activities that address conservation and protection of the natural
15 environment. During its meeting on July 21, 2025, the Jacksonville
16 Environmental Protection Board (the "Board") approved this
17 expenditure, as reflected in the Monthly Meeting Summary attached
18 hereto as **Exhibit 2** and incorporated herein by this reference.

19 **Section 3. Waiver of Section 111.755 (Environmental**
20 **Protection Fund), Ordinance Code.** Section 111.755 (Environmental
21 Protection Fund), Part 7 (Environment and Conservation), Chapter 111
22 (Special Revenue and Trust Accounts), *Ordinance Code*, is hereby
23 waived. Section 111.755 sets forth specific purposes for which the
24 Fund must be used by the Board. Section 111.755 provides that any
25 studies, surveys, tests and investigations funded from the Fund shall
26 be special projects of a unique, one-time nature, and shall not be
27 continuing. This waiver is necessary to allow the use of Fund dollars
28 for continued funding of annual State of the River Reports. At its
29 meeting on July 21, 2025, this waiver was approved by the Board as
30 reflected in **Exhibit 2**.

31 **Section 4. Waiver of Section 360.602 (Uses of Fund),**

1 **Ordinance Code.** Section 360.602 (Uses of Fund), Part 6
2 (Environmental Protection Fund), Chapter 360 (Environmental
3 Regulation), *Ordinance Code*, is hereby waived. Section 360.602 sets
4 forth specific purposes for which the Fund must be used by the Board.
5 Section 360.602 provides that any studies, surveys, tests and
6 investigations funded from the Fund shall be special projects of a
7 unique, onetime nature, and shall not be continuing. This waiver is
8 necessary to allow the use of Fund dollars for the continued funding
9 of the State of the River Reports. At its meeting on July 21, 2025,
10 this waiver was approved by the Board as reflected in **Exhibit 2.**

11 **Section 5. Agreement Approved and Execution Authorized.**

12 There is hereby approved, and the Mayor, or her designee, and the
13 Corporation Secretary are hereby authorized to execute and deliver,
14 the Agreement Between the City of Jacksonville and Jacksonville
15 University for the Eighteenth State of the River Report for the Lower
16 St. Johns River Basin, in substantially the same form placed **On File**
17 with the Legislative Services Division and incorporated herein by
18 this reference (the "Agreement"). The Agreement may include any
19 extensions or amendments thereto as necessary and appropriate to
20 effectuate the intent of this Ordinance; provided, however, no
21 modifications to the Agreement may increase the financial obligations
22 or the liability of the City to an amount in excess of the amount
23 stated in the Agreement or decrease the duties and obligations of
24 Jacksonville University as stated in the Agreement.

25 **Section 6. Invoking the Exemption in Section 126.108(g),**

26 **Ordinance Code.** The City is hereby authorized to procure the use of
27 the professional services of Jacksonville University to conduct the
28 Project. Pursuant to Section 126.108(g) (Exemptions from competitive
29 solicitation), Subpart A (General Regulations), Part 1 (General
30 Regulations; Ethics and Transparency in Public Contracting), Chapter
31 126 (Procurement Code), *Ordinance Code*, such procurement is exempted

1 from competitive solicitation because the supplies or services are
2 to be provided by those specifically prescribed within authorizing
3 legislation that appropriates the same. With the exception of the
4 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
5 remain in full force and effect.

6 **Section 7. Waiver of Section 118.107 (Nonprofits to receive**
7 **funding through a competitive evaluated award process), *Ordinance***
8 ***Code*.** The provisions of Section 118.107 (Nonprofits to receive
9 funding through a competitive evaluated award process), Part 1
10 (General Provisions), Chapter 118 (City Grants), *Ordinance Code*, are
11 hereby waived to allow for a direct contract between the City of
12 Jacksonville and Jacksonville University for the Project. The City
13 finds that this is a justified direct contract because Jacksonville
14 University is the principal investigator for the annual State of the
15 River Report. This is the Eighteenth Edition of the report, with this
16 being Jacksonville University's sixth year as principal investigator.
17 Jacksonville University partners with several institutions for the
18 Project and no other entities have access to the data or website
19 produced for and with the State of the River Reports. This direct
20 contract will allow the City to continue funding the annual State of
21 the River Reports, which have been integral in tracking the health
22 of the Lower St. Johns River Basin.

23 **Section 8. Carryover.** The funds appropriated by this
24 Ordinance shall not lapse but shall carryover to fiscal year 2025-
25 2026.

26 **Section 9. Oversight.** The Environmental Quality Division
27 of the Office of Administrative Services shall provide oversight of
28 the Agreement and Project described herein.

29 **Section 10. Annual Reports.** Jacksonville University is
30 required to provide the Eighteenth State of the River Report to the
31 Jacksonville Environmental Protection Board in September 2025 so that

1 it can be released at the annual Environmental Symposium.

2 **Section 11. Effective Date.** This Ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

5
6 Form Approved:

7
8 /S/ Joelle J. Dillard

9 Office of General Counsel

10 Legislation Prepared By: Joelle J. Dillard

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