

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2025-404**

5 AN ORDINANCE APPROPRIATING \$106,000.00 IN FUND
6 BALANCE FROM THE ENVIRONMENTAL PROTECTION TRUST
7 FUND TO ST. JOHNS RIVERKEEPER, INC. FOR AN
8 ENVIRONMENTAL QUALITY ASSESSMENT OF THE RIBAULT
9 RIVER AND MONCRIEF CREEK WATERSHEDS, AS
10 INITIATED BY B.T. 25-085; WAIVING SECTION
11 110.112 (ADVANCE OF CITY FUNDS; PROHIBITION
12 AGAINST), PART 1 (THE CITY TREASURY), CHAPTER
13 110 (CITY TREASURY), *JACKSONVILLE ORDINANCE*
14 *CODE*, TO ALLOW FOR A PARTIAL ADVANCE PAYMENT TO
15 ST. JOHNS RIVERKEEPER, INC.; WAIVING SECTION
16 118.107 (NONPROFITS TO RECEIVE FUNDING THROUGH
17 A COMPETITIVE EVALUATED AWARD PROCESS), PART 1
18 (GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS),
19 *JACKSONVILLE ORDINANCE CODE*, TO ALLOW FOR A
20 DIRECT CONTRACT WITH ST. JOHNS RIVERKEEPER,
21 INC.; INVOKING THE EXEMPTION IN SECTION
22 126.108 (G) (EXEMPTIONS FROM COMPETITIVE
23 SOLICITATION), SUBPART A (GENERAL REGULATIONS),
24 PART 1 (GENERAL REGULATIONS; ETHICS AND
25 TRANSPARENCY IN PUBLIC CONTRACTING), CHAPTER 126
26 (PROCUREMENT CODE), *JACKSONVILLE ORDINANCE*
27 *CODE*, TO ALLOW FOR A DIRECT CONTRACT WITH ST.
28 JOHNS RIVERKEEPER, INC.; APPROVING AND
29 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND THE
30 CORPORATION SECRETARY TO EXECUTE AND DELIVER
31 THAT CERTAIN FUNDING AGREEMENT BETWEEN THE CITY

1 OF JACKSONVILLE AND ST. JOHNS RIVERKEEPER, INC.;
2 PROVIDING FOR CARRYOVER OF FUNDS INTO FISCAL
3 YEAR 2028-2029; PROVIDING FOR CITY OVERSIGHT BY
4 THE OFFICE OF ADMINISTRATIVE SERVICES; REQUIRING
5 A REPORT TO THE JACKSONVILLE ENVIRONMENTAL
6 PROTECTION BOARD; PROVIDING AN EFFECTIVE DATE.

7
8 **BE IT ORDAINED** by the Council of the City of Jacksonville:

9 **Section 1. Appropriation.** For the 2024-2025 fiscal year,
10 within the City's budget, there are hereby appropriated the indicated
11 sum(s) from the account(s) listed in subsection (a) to the account(s)
12 listed in subsection (b):

13 (B.T. 25-085 attached hereto as **Exhibit 1** and incorporated herein by
14 this reference)

15 (a) Appropriated from:

16 See B.T. 25-085 \$106,000.00

17 (b) Appropriated to:

18 See B.T. 25-085 \$106,000.00

19 (c) Explanation of appropriation

20 The funding above is appropriating fund balance from the
21 Environmental Protection Trust Fund to fund an
22 environmental quality assessment of the Ribault River and
23 Moncrief Creek watersheds (the "Project").

24 **Section 2. Purpose.** The purpose of the appropriation in
25 Section 1 is to provide funding to St. Johns Riverkeeper, Inc. for
26 the Project, which shall be completed pursuant to the terms,
27 conditions and scope of work more particularly described in that
28 certain Funding Agreement between the City of Jacksonville and St.
29 Johns Riverkeeper, Inc., as approved and authorized in Section 6
30 below.

31 During its meeting on February 18, 2025, the Jacksonville

1 Environmental Protection Board approved this expenditure, as
2 reflected in the Monthly Meeting Summary attached hereto as **Exhibit**
3 **2** and incorporated herein by this reference. The Project will include
4 an environmental quality assessment of the Ribault River and Moncrief
5 Creek watersheds.

6 **Section 3. Waiving Section 110.112, Jacksonville Ordinance Code.**

7 Section 110.112 (Advance of City funds; prohibition against), Part 1
8 (The City Treasury), Chapter 110 (City Treasury), *Jacksonville*
9 *Ordinance Code*, is hereby waived to allow for a partial advance
10 payment to St. Johns Riverkeeper, Inc. as provided in the Agreement.

11 **Section 4. Waiver of Section 118.107, Jacksonville Ordinance**

12 **Code.** The provisions of Section 118.107 (Nonprofits to receive funding
13 through a competitive evaluated award process), Part 1 (General
14 Provisions), Chapter 118 (City Grants), *Jacksonville Ordinance Code*,
15 are hereby waived to allow for a direct contract with St. Johns
16 Riverkeeper, Inc. The City finds that this waiver is justified
17 because St. Johns Riverkeeper, Inc. has assembled the team to perform
18 the Project and is uniquely positioned to perform the Project in a
19 timely manner.

20 **Section 5. Invoking the exemption pursuant to Section**

21 **126.108(g), Jacksonville Ordinance Code.** The City is hereby
22 authorized to procure the use of the services of St. Johns
23 Riverkeeper, Inc. to provide an environmental quality assessment of
24 the Ribault River and Moncrief Creek watersheds. Pursuant to Section
25 126.108(g) (Exemptions from competitive solicitation), Subpart A
26 (General Regulations), Part 1 (General Regulations; Ethics and
27 Transparency in Public Contracting), Chapter 126 (Procurement Code),
28 *Jacksonville Ordinance Code*, such procurement is exempted from
29 competitive solicitation because the supplies or services are to be
30 provided by those specifically prescribed within authorizing
31 legislation that appropriates the same. With the exception of the

1 foregoing, all other provisions of Chapter 126, *Jacksonville*
2 *Ordinance Code*, shall remain in full force and effect.

3 **Section 6. Approval and Authorization to Execute.** There is
4 hereby approved, and the Mayor, or her designee, and the Corporation
5 Secretary are hereby authorized to execute and deliver on behalf of
6 the City an agreement with St. Johns Riverkeeper, Inc. in an amount
7 not-to-exceed \$106,000, subject to the Scope of Services and Budget
8 more particularly described in **Exhibit 3**, and all other contracts and
9 documents, including extensions, renewals and amendments to the
10 agreement, and to otherwise take all action necessary to effectuate
11 the intent of this Ordinance, subject to appropriate legal review and
12 approval by the General Counsel, or his or her designee, and the
13 City's Risk Management Division for appropriate insurance and
14 indemnification requirements in accordance with Section 128.601,
15 *Jacksonville Ordinance Code*.

16 **Section 7. Carryover.** The funds appropriated by this
17 Ordinance shall not lapse but shall carryover to fiscal year 2028-
18 2029.

19 **Section 8. Oversight Department.** The Office of
20 Administrative Services shall oversee the Project.

21 **Section 9. Reports.** A report shall be submitted by St.
22 Johns Riverkeeper, Inc. to the Jacksonville Environmental Protection
23 Board at the conclusion of the Project.

24 **Section 10. Effective Date.** This Ordinance shall
25 become effective upon signature by the Mayor or upon becoming
26 effective without the Mayor's signature.

1 Form Approved:

2

3 /S/ Ashley Smith

4 Office of General Counsel

5 Legislation Prepared By: Ashley Smith

6 GC-#1689509-v1-2025_Legislation_JEPB_Riverkeeper_Ribault_River