

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Rules Committee:

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5 **ORDINANCE 2025-685-E**

6 AN ORDINANCE APPROPRIATING \$112,962.00 IN FUND
7 BALANCE FROM THE ENVIRONMENTAL PROTECTION FUND
8 (THE "FUND") TO PROVIDE FUNDING FOR THE
9 EIGHTEENTH STATE OF THE RIVER REPORT FOR THE
10 LOWER ST. JOHNS RIVER BASIN (THE "PROJECT"), AS
11 INITIATED BY B.T. 25-117; PROVIDING FOR WAIVER
12 OF SECTION 111.755 (ENVIRONMENTAL PROTECTION
13 FUND), PART 7 (ENVIRONMENT AND CONSERVATION),
14 CHAPTER 111 (SPECIAL REVENUE AND TRUST
15 ACCOUNTS), *ORDINANCE CODE*, TO AUTHORIZE
16 UTILIZATION OF FUNDS FROM THE FUND TO CONTINUE
17 FUNDING THE ANNUAL STATE OF THE RIVER REPORT;
18 PROVIDING FOR WAIVER OF SECTION 360.602 (USES OF
19 FUND), PART 6 (ENVIRONMENTAL PROTECTION FUND),
20 CHAPTER 360 (ENVIRONMENTAL REGULATION),
21 *ORDINANCE CODE*, TO ALLOW FOR THE UTILIZATION OF
22 FUNDS FROM THE FUND TO CONTINUE FUNDING THE
23 ANNUAL STATE OF THE RIVER REPORT; APPROVING, AND
24 AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE
25 CORPORATION SECRETARY TO EXECUTE AND DELIVER AN
26 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
27 JACKSONVILLE UNIVERSITY FOR THE PROJECT;
28 INVOKING THE EXEMPTION IN SECTION 126.108(G)
29 (EXEMPTIONS FROM COMPETITIVE SOLICITATION),
30 SUBPART A (GENERAL REGULATIONS), PART 1 (GENERAL
31 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;
 WAIVER AND DISCLOSURES), PART 1 (GENERAL
 PROVISIONS), CHAPTER 118 (CITY GRANTS),
 ORDINANCE CODE, TO ALLOW A DIRECT CONTRACT WITH
 JACKSONVILLE UNIVERSITY; PROVIDING FOR
 OVERSIGHT BY THE OFFICE OF ADMINISTRATIVE
 SERVICES, 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 2025-2026 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

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

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

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

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

12 **Section 5. Agreement Approved and Execution Authorized.**
13 There is hereby approved, and the Mayor, or her designee, and the
14 Corporation Secretary are hereby authorized to execute and deliver,
15 the Agreement Between the City of Jacksonville and Jacksonville
16 University for the Eighteenth State of the River Report for the Lower
17 St. Johns River Basin, in substantially the same form placed **Revised**
18 **On File** with the Legislative Services Division and incorporated herein
19 by this reference (the "Agreement"). The Agreement may include any
20 extensions or amendments thereto as necessary and appropriate to
21 effectuate the intent of this Ordinance; provided, however, no
22 modifications to the Agreement may increase the financial obligations
23 or the liability of the City to an amount in excess of the amount
24 stated in the Agreement or decrease the duties and obligations of
25 Jacksonville University as stated in the Agreement.

26 **Section 6. Invoking the Exemption in Section 126.108(g),**
27 **Ordinance Code.** The City is hereby authorized to procure the use of
28 the professional services of Jacksonville University to conduct the
29 Project. Pursuant to Section 126.108(g) (Exemptions from competitive
30 solicitation), Subpart A (General Regulations), Part 1 (General
31 Regulations; Ethics and Transparency in Public Contracting), Chapter

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

7 **Section 7. Waiver of Section 118.107 (Nonprofits to receive**
8 **funding through a competitive evaluated award process; waiver and**
9 **disclosures), *Ordinance Code*.** The provisions of Section 118.107
10 (Nonprofits to receive funding through a competitive evaluated award
11 process; waiver and disclosures), Part 1 (General Provisions),
12 Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow
13 for a direct contract between the City of Jacksonville and
14 Jacksonville University for the Project. The City finds that this
15 is a justified direct contract because Jacksonville University is the
16 principal investigator for the annual State of the River Report. This
17 is the Eighteenth Edition of the report, with this being Jacksonville
18 University's sixth year as principal investigator. Jacksonville
19 University partners with several institutions for the Project and no
20 other entities have access to the data or website produced for and
21 with the State of the River Reports. This direct contract will allow
22 the City to continue funding the annual State of the River Reports,
23 which have been integral in tracking the health of the Lower St.
24 Johns River Basin. Jacksonville University has provided the Affidavit
25 of Disclosure required by subsection 118.107(b)(2), *Ordinance Code*,
26 attached hereto as **Exhibit 3** and incorporated herein by this
27 reference.

28 **Section 8. Oversight.** The Environmental Quality Division
29 of the Office of Administrative Services shall provide oversight of
30 the Agreement and Project described herein.

31 **Section 9. Annual Reports.** Jacksonville University is

1 required to provide the Eighteenth State of the River Report to the
2 Jacksonville Environmental Protection Board in October 2025 so that
3 it can be released at the annual Environmental Symposium.

4 **Section 10. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

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8 Form Approved:

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10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Joelle J. Dillard

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