

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



JEFFREY R. CLEMENTS
Chief of Research
(904) 255-5137

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 255-5229

Bill Type and Number: Ordinance 2023-590

Introducer/Sponsor(s): Council Member Johnson

Date of Introduction: August 22, 2023

Committee(s) of Reference: R, F, TEU

Date of Analysis: August 24, 2023

Type of Action: Authorization to acquire property and easements through eminent domain; authorizing the Chief of Real Estate to negotiate purchase prices; Ordinance Code waiver; authorization to institute condemnation proceedings; requesting emergency passage upon introduction

Bill Summary: The bill authorizes the use of eminent domain powers to acquire ownership of or easements over 22 parcels of property adjacent to or near a portion of Old Middleburg Road as required to facilitate the Old Middleburg Road South Widening Project. It authorizes the Chief of the Real Estate Division to make offers and negotiate for the voluntary acquisition of the properties for a purchase price not to exceed \$500,000. The bill waives provisions of the Ordinance Code in Chapter 112 – Claims By and Against the City – which provide that the total amount of a settlement may not exceed \$50,000 without City Council approval. It authorizes the Office of General Counsel to institute the necessary legal proceedings to acquire by condemnation the needed interests in the land via a “quick take” procedure pursuant to Florida Statutes. Emergency passage of the ordinance on first reading is requested.

Background Information: The Old Middleburg South Road Widening Project is located west of Shindler Road and south of 103rd Street in the Jacksonville Heights South area in Council Districts 12 and 14. The 22 parcels have been determined to be necessary for the construction of the project and the “quick take” methodology allowable under state law is being authorized in order to move the project along expeditiously. The City is required to make offers to the property owners for acquisition of the needed land and easements before condemnation proceedings are initiated. Emergency passage on first reading is being requested due to the fact that one of the property owners from whom land is required is suffering from a terminal illness and the death of that owner before their property is acquired would complicate and slow the road widening project.

Policy Impact Area: Roadway improvements

Fiscal Impact: The Ordinance Code waiver authorizes the Real Estate Division to acquire properties for a price exceeding the \$50,000 threshold with this blanket approval from the City Council.

Analyst: Clements