

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2021-447**

5 AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS  
6 DESIGNEE, AND THE CORPORATION SECRETARY TO  
7 EXECUTE AND DELIVER THAT CERTAIN THIRD  
8 AMENDMENT TO THE PURCHASE AGREEMENT BETWEEN  
9 THE CITY OF JACKSONVILLE AND THE VESTCOR  
10 FAMILY FOUNDATION, INC., TO PROVIDE AN  
11 ADDITIONAL \$270,392.80 IN ESCROW FUNDS TO  
12 COVER THE CITY'S PORTION OF THE COSTS TO  
13 COMPLETE THE ON-SITE ASH REMEDIATION PROJECT  
14 ON PROPERTIES LOCATED AT 2100 AND 2039 FOREST  
15 STREET, JACKSONVILLE, FLORIDA AS REQUIRED FOR  
16 COMPLIANCE WITH THE UNITED STATES  
17 ENVIRONMENTAL PROTECTION AGENCY CONSENT ORDER  
18 GOVERNING SAID PROPERTIES; PROVIDING AN  
19 EFFECTIVE DATE.  
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21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

22 **Section 1. Authorization.** The Mayor, or his designee, and  
23 the Corporation Secretary are hereby authorized to execute and  
24 deliver that certain Third Amendment (the "Amendment") to the  
25 Purchase Agreement between the City of Jacksonville and The Vestcor  
26 Family Foundation, Inc. ("VFF") dated April 4, 2019, originally  
27 approved and authorized in Ordinance 2019-138-E, in substantially  
28 the form attached hereto as **Exhibit 1** and incorporated herein by  
29 this reference. The Amendment authorizes an additional expenditure  
30 by the City of \$270,392.80 to be placed in escrow to cover the  
31 City's portion of additional costs for completion of on-site ash

1 remediation required pursuant to the United States Environmental  
2 Protection Agency Consent Order governing the subject properties  
3 (the "Project"). The increased costs stem from additional work  
4 required to remove, replace and re-certify portions of the on-site  
5 protective clean soil cap that were not functioning as designed.  
6 This additional work was deemed necessary when it was determined  
7 that the cap soil from a City borrow pit did not have the required  
8 permeability for use as a protective soil cap and drainage layer.  
9 This caused persistent and constant issues with the performance of  
10 the on-site stormwater system to function as designed. The City's  
11 additional contribution will cover 75% of the increased costs to  
12 complete the Project and VFF will be responsible for the remaining  
13 25%.

14 **Section 2. Effective Date.** This Ordinance shall become  
15 effective upon signature by the Mayor or upon becoming effective  
16 without the Mayor's signature.

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18 Form Approved:

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20 \_\_\_\_\_ /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

23 GC-#1437095-v4-Legis\_Auth\_Amend\_Purchase\_Agree\_-\_Vestcor\_(cross-ref\_2019-138-E).docx