

1 Introduced by Council Member White:
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4 **ORDINANCE 2024-603-E**

5 AN ORDINANCE APPROPRIATING \$90,750 FROM THE
6 SOLID WASTE FACILITIES MITIGATION FUND RETAINED
7 EARNINGS ACCOUNT TO THE EQUESTRIAN CENTER-NFES
8 HORSE FUND WITHIN THE PARKS, RECREATION AND
9 COMMUNITY SERVICES DEPARTMENT TO PROVIDE
10 ADDITIONAL FUNDING TO THE NORTHEAST FLORIDA
11 EQUESTRIAN SOCIETY/H.O.R.S.E. THERAPIES, INC.
12 FOR OPERATIONAL EXPENSES IN FISCAL YEAR 2024;
13 PROVIDING FOR REVERTER OF FUNDS; APPROVING, AND
14 AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE
15 CORPORATION SECRETARY TO EXECUTE AND DELIVER A
16 TENTH AMENDMENT TO THE AMENDED AND RESTATED
17 EQUESTRIAN CENTER SERVICES CONTRACT BETWEEN THE
18 CITY OF JACKSONVILLE AND NORTHEAST FLORIDA
19 EQUESTRIAN SOCIETY/H.O.R.S.E. THERAPIES, INC.,
20 TO EFFECTUATE THE INTENT OF THIS ORDINANCE;
21 PROVIDING FOR OVERSIGHT BY THE PARKS, RECREATION
22 AND COMMUNITY SERVICES DEPARTMENT; REQUESTING
23 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
24 AN EFFECTIVE DATE.

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

27 **Section 1. Appropriation.** For the 2023-2024 fiscal year,
28 within the City's budget, there is hereby appropriated the indicated
29 sum(s) from the account(s) listed in subsection (a) to the account(s)
30 listed in subsection (b):

31 (The account information is attached hereto as **Exhibit 1** and

1 incorporated herein by this reference)

2 (a) Appropriated from:

3 See **Exhibit 1** \$90,750

4 (b) Appropriated to:

5 See **Exhibit 1** \$90,750

6 (c) Explanation of Appropriation:

7 The funding above is an appropriation of \$90,750 from the
8 Solid Waste Facilities Mitigation Fund Retained Earnings
9 account to the Equestrian Center-NFES Horse Fund within
10 the Parks, Recreation and Community Services Department to
11 provide funds to the Northeast Florida Equestrian
12 Society/H.O.R.S.E. Therapies, Inc. ("NFES") for
13 unanticipated increased operational expenses. This
14 appropriation is intended to address a projected shortfall
15 in funding for operational expenses for NFES in fiscal year
16 2024.

17 **Section 2. Purpose.**

18 The purpose of the appropriation in
19 Section 1 is to provide additional funds to NFES for operational
20 expenses in fiscal year 2024. The need for this appropriation arose
21 when NFES identified that it would have a shortfall in funds to
22 support its ongoing operational expenses due to a number of factors
23 including increased insurance costs, cancellation of planned events,
24 and other unanticipated operational overruns. NFES attempted to book
25 three additional events in an effort to offset some of the revenue
26 lost from the two that were cancelled, but none of those came to
27 fruition. The Parks, Recreation and Community Services Department
28 will make additional funds available from this appropriation for the
29 monthly contractual payment by the City to NFES for the months of
30 June, July, August and September in the exact amount needed to offset
31 the increased operational expenses for each month.

Section 3. Reverter.

Any funds from this appropriation

1 remaining on September 30, 2024, shall revert to the fund of origin.

2 **Section 4. Approval and Authorization to Execute Tenth**
3 **Amendment to Agreement.** There is hereby approved, and the Mayor, or
4 her designee, and the Corporation Secretary are hereby authorized to
5 execute and deliver, a Tenth Amendment (the "Amendment") to the
6 Amended and Restated Equestrian Center Services Contract Between the
7 City of Jacksonville and Northeast Florida Equestrian
8 Society/H.O.R.S.E. Therapies, Inc. (the "Agreement") to increase the
9 maximum indebtedness by \$90,750 for a new total maximum indebtedness
10 not-to-exceed \$5,522,685.93, subject to the payment terms outlined
11 in this Ordinance. The Amendment may include such additions, deletions
12 and changes as may be reasonable, necessary and incidental for
13 carrying out the purposes thereof, as may be acceptable to the Mayor,
14 or her designee, with such inclusion and acceptance being evidenced
15 by execution of the Amendment by the Mayor, or her designee; provided
16 however, no modifications may increase the financial obligations of
17 the City to an amount in excess of the amount stated herein or
18 decrease the duties and obligations of NFES, and any such
19 modifications shall be technical only and shall be subject to
20 appropriate legal review and approval by the Office of General Counsel
21 and the Office of Risk Management for insurance and indemnification
22 terms. For the purposes of this Ordinance, the term "technical
23 changes" is defined as those changes having no financial impact to
24 the City, and any other non-substantive changes that do not
25 substantively increase the duties and responsibilities of the City
26 under the provisions of the Agreement.

27 **Section 5. Oversight Department.** The Parks, Recreation and
28 Community Services Department shall have oversight of the project
29 described herein.

30 **Section 6. Requesting Emergency Passage Upon Introduction**
31 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon

1 introduction of this legislation is requested. The nature of the
2 emergency is that the Northeast Florida Equestrian Society has several
3 important and immediate operational expenditures and obligations it
4 must fulfill and these additional funds will ensure they can meet
5 those obligations in a timely manner.

6 **Section 7. Effective Date.** This Ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

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10 Form Approved:

11
12 /s/ Mary E. Staffopoulos

13 Office of General Counsel

14 Legislation Prepared By: Mary E. Staffopoulos

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