

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Transportation, Energy and Utilities Committee:

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5 **ORDINANCE 2020-519-E**

6 AN ORDINANCE APPROPRIATING \$193,000 WITHIN THE
7 FAIR SHARE SECTOR AREA TRANSPORTATION
8 IMPROVEMENT ACCOUNT FOR THE ACQUISITION OF A
9 DRAINAGE EASEMENT FOR A POND SITE FOR THE
10 CHAFFEE ROAD PROJECT; AMENDING THE 2020-2024
11 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM APPROVED
12 BY ORDINANCE 2019-505-E FOR THE PROJECT
13 ENTITLED "CHAFFEE ROAD" TO MODIFY THE
14 DESCRIPTION OF THE CIP PROJECT TO INCLUDE THE
15 EASEMENT AND PURCHASE SALE AGREEMENT;
16 APPROVING THE CITY OF JACKSONVILLE'S PURCHASE
17 OF A PORTION OF RE# 008965-0450, A PERMANENT
18 DRAINAGE EASEMENT OF 5.506 ACRES, MORE OR
19 LESS, OVER PARCEL 802, TO ALLOW THE CITY TO
20 CONSTRUCT A POND SITE, AND ANOTHER PORTION OF
21 RE# 008965-0450 ADJACENT TO PARCEL 802, A
22 TEMPORARY CONSTRUCTION EASEMENT OF 2.577
23 ACRES, MORE OR LESS, OVER PARCEL 719, TO ALLOW
24 THE CITY TO DEPOSIT EXCAVATED MATERIAL CREATED
25 BY THE POND SITE, BOTH IN COUNCIL DISTRICT 12,
26 IN ACCORDANCE WITH THE TERMS OF THE EASEMENT
27 PURCHASE AND SALE AGREEMENT (THE "AGREEMENT")
28 FOR THE CHAFFEE ROAD PROJECT; AUTHORIZING THE
29 MAYOR AND CORPORATION SECRETARY TO EXECUTE THE
30 AGREEMENT AND ALL NECESSARY DOCUMENTS;

PROVIDING AN EFFECTIVE DATE.

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

Section 1. Appropriation. For the 2019-2020 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):

(The account information is attached hereto as **Exhibit 1** and incorporated herein by this reference)

(a) Appropriated from:

See **Exhibit 1** \$193,000

(b) Appropriated to:

See **Exhibit 1** \$193,000

(c) **Explanation of Appropriation:**

The funding above is an appropriation from within the Fair Share Sector Area Transportation Improvement account for acquisition of a drainage easement for a pond site and a temporary easement to deposit the excavated material for the Chaffee Road Project.

Section 2. Purpose. The purpose of the appropriation in Section 1 is to provide funding for the purchase of a drainage easement for a pond site and a temporary easement to deposit the excavated material for the Chaffee Road Project. The City needs to be able to construct a pond site and a site to deposit the excavated material by the pond site. The deposit of the excavated material onto the temporary construction easement is a requirement by the sellers.

Section 3. CIP Amendment. Ordinance 2019-505-E, being the 2020-2024 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is hereby amended for the project entitled "Chaffee Road" to modify the description of the

1 CIP project to include the easement and purchase sale agreement.
2 The project is more fully described in the Project Information
3 Sheet, attached hereto as **Exhibit 2** and incorporated herein by this
4 reference. The Council finds that the deferral of this amendment of
5 the CIP until the next annual budget and CIP review will be
6 detrimental to the best interests of the community because such
7 deferral will result in the City's loss in the ability to purchase
8 the drainage easement. Pursuant to Section 122.605(c), *Ordinance*
9 *Code*, enactment of this ordinance requires the affirmative vote of
10 two-thirds of the Council members present at the meeting because of
11 the CIP amendment set forth in this section. This ordinance shall
12 constitute an amendment to Ordinance 2019-505-E. In all other
13 respects, the Five-Year Capital Improvement Program approved by
14 Ordinance 2019-505-E shall continue in full force and effect.

15 **Section 4. Purchase of easements approved.** The purchase
16 of a portion of RE# 008965-0450, a permanent drainage easement of
17 5.506 acres, more or less, over Parcel 802, and of an adjacent
18 portion of RE# 008965-0450, a temporary construction easement of
19 2.577 acres, more or less, over Parcel 719, both lying in Council
20 District 12 and granted in accordance with the terms of the
21 Easement Purchase and Sale Agreement, a copy of which has been
22 placed **On File** with the Office of Legislative Services (the
23 "Agreement"), are hereby approved. The purchase of the easements
24 is necessary for the completion of the Chaffee Road Project (the
25 "Project"). The property covered by the permanent easement
26 appraised at \$193,000.00 in fee. The sellers would not take less
27 than this appraisal price.

28 **Section 5. Execution authorized.** The Mayor and
29 Corporation Secretary are hereby authorized to execute the
30 Agreement and all such documents necessary for the purchase of the
31 easements.

1 **Section 6. Effective Date.** This ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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6 Form Approved:

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8 /s/ Paige H. Johnston

9 Office of General Counsel

10 Legislation prepared by: James R. McCain, Jr.

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