

1 Introduced by Council Member Arias:
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4 **ORDINANCE 2024-756**

5 AN ORDINANCE APPROPRIATING \$10,000 FROM A
6 GENERAL FUND OPERATING - SUBSIDIES AND
7 CONTRIBUTIONS TO PRIVATE ORGANIZATIONS ACCOUNT
8 TO THE GENERAL FUND OPERATING - MISCELLANEOUS
9 GRANTS AND AIDS ACCOUNT, TO PROVIDE ADDITIONAL
10 CITY GRANT FUNDS TO WELLS CREEK EAST HOMEOWNERS
11 ASSOCIATION, INC, FOR OFF-DUTY TRAFFIC CONTROL
12 SERVICES AT THE INTERSECTION OF WELLS CREEK
13 PARKWAY AND PHILIPS HIGHWAY SUBJECT TO THE TERMS
14 AND CONDITIONS DESCRIBED HEREIN; PROVIDING FOR
15 CARRYOVER; PROVIDING FOR REVERTER OF FUNDS;
16 APPROVING, AND AUTHORIZING THE MAYOR, OR HER
17 DESIGNEE, AND THE CORPORATION SECRETARY TO
18 EXECUTE AND DELIVER A FIRST AMENDMENT TO THE
19 CONTRACT FOR OFF-DUTY TRAFFIC CONTROL SERVICES
20 BETWEEN THE CITY OF JACKSONVILLE AND WELLS CREEK
21 HOMEOWNERS ASSOCIATION, INC (THE "AGREEMENT"),
22 TO INCREASE THE MAXIMUM INDEBTEDNESS OF THE
23 AGREEMENT BY AN ADDITIONAL NOT-TO-EXCEED AMOUNT
24 OF \$10,000, TO ATTACH A REVISED SCOPE OF WORK,
25 AND TO EXTEND THE TERM OF THE AGREEMENT TO
26 DECEMBER 31, 2024; PROVIDING FOR CONTINUED
27 OVERSIGHT BY THE GRANTS AND CONTRACT COMPLIANCE
28 DIVISION OF THE FINANCE DEPARTMENT; REQUESTING
29 ONE CYCLE EMERGENCY PASSAGE; PROVIDING AN
30 EFFECTIVE DATE.
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1 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

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

8 (a) Appropriated from:

9 See **Exhibit 1** \$10,000

10 (b) Appropriated to:

11 See **Exhibit 1** \$10,000

12 (c) Explanation of Appropriation:

13 The funding above is an appropriation of \$10,000 from a
14 General Fund Operating - Subsidies and Contributions to
15 Private Organizations account to the General Fund Operating
16 - Miscellaneous Grants and Aids account, to provide
17 additional City grant funds to Wells Creek East Homeowners
18 Association, Inc ("Wells Creek East") for off-duty traffic
19 control services at the intersection of Wells Creek Parkway
20 and Philips Highway subject to the terms and conditions
21 outlined herein.

22 **Section 2. Purpose.** The purpose of the appropriation in
23 Section 1 is to provide additional City grant funding to Wells Creek
24 East Homeowners Association, Inc for procurement of off-duty traffic
25 control services for the intersection of Wells Creek Parkway and
26 Philips Highway. These funds are in addition to funds previously
27 appropriated for off-duty traffic control services at this
28 intersection by Ordinance 2023-881-E and this appropriation shall be
29 subject to the same terms and conditions outlined and approved by
30 Ordinance 2023-881-E except as amended herein.

31 This request arises from a delay in receipt and installation of

1 the traffic signal improvements at the intersection of Wells Creek
2 Parkway and Philips Highway and the need for these services to
3 continue while school is in session. In the event these additional
4 City funds are exhausted prior to completion of the traffic signal,
5 Wells Creek East and Wells Creek Property Owners Association, Inc.
6 have expressed their intent to equally bear the costs for continued
7 off-duty traffic control services as described herein until
8 completion of the intersection.

9 **Section 3. Carryover.** The funds appropriated herein shall
10 not lapse but shall carryover to December 31, 2024.

11 **Section 4. Reverter.** Any funds remaining after completion
12 of the project described herein shall be returned to the account of
13 origin.

14 **Section 5. Approval and Authorization to Execute First**
15 **Amendment to Agreement.** The Mayor, or her designee, and the
16 Corporation Secretary are hereby authorized to execute and deliver a
17 first amendment to the Contract For Off-Duty Traffic Control Services
18 between the City of Jacksonville and Wells Creek East Homeowners
19 Association, Inc (the "Agreement") originally approved by Ordinance
20 2023-881-E, to increase the maximum indebtedness under the Agreement
21 by an additional \$10,000 for a new total maximum indebtedness not-
22 to-exceed \$35,000, to revise the Scope of Work outlined in the
23 Agreement as provided in **Exhibit 2**, attached hereto and incorporated
24 herein by this reference, and to extend the term of the Agreement to
25 December 31, 2024, with all other terms of the Agreement remaining
26 the same except as expressly provided herein. The first amendment may
27 include such additions, deletions and changes as may be reasonable,
28 necessary and incidental for carrying out the purposes thereof, as
29 may be acceptable to the Mayor, or her designee, wish such inclusion
30 and acceptance being evidenced by execution of the first amendment
31 by the Mayor, or her designee; provided however, no modifications to

1 the first amendment may increase the financial obligations of the
2 City to an amount in excess of the amount stated herein nor decrease
3 the duties and obligations of Wells Creek East, and any such
4 modifications shall be technical only and shall be subject to
5 appropriate legal review and approval by the Office of General Counsel
6 and the City's Risk Management Division for appropriate insurance and
7 indemnification terms. For the purposes of this Ordinance, the term
8 "technical changes" is defined as those changes having no financial
9 impact to the City, and any other non-substantive changes that do not
10 substantively increase the duties and responsibilities of the City
11 under the provisions of the Agreement.

12 **Section 6. Oversight Department.** The Grants and Contract
13 Compliance Division of the Finance Department shall continue to have
14 oversight of the project described herein.

15 **Section 7. Requesting One Cycle Emergency Passage Pursuant**
16 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
17 legislation is requested. The nature of the emergency is that the
18 school year has commenced and there will be a delay in installation
19 of the anticipated traffic signal improvements at the intersection
20 of Wells Creek Parkway and Philips Highway. Recognizing that traffic
21 is at its heaviest in this area when school is in session, which is
22 also when traffic accidents are most likely to occur, the City Council
23 wants to ensure there is not a lapse in the provision of off-duty
24 traffic control services at this intersection.

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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