

**DIAMOND AMENDMENT #1**

Council Member Diamond offers the following amendment to File No. 2020-648:

- (1) Amend the Development Agreement to include inspector general/ethics provisions within the agreement as outlined in **Attachment A** attached hereto;
- (2) On **page 7, line 27, and page 11, lines 7, 9, 13, 16-17, 19-20, and 27, strike "On File" and insert "Revised On File"**;
- (3) Remove **On File** document and replace with a **Revised On File** document, which revises the Development Agreement to include inspector general/ethics provisions as outlined in **Attachment A**;
- (4) The Office of General Counsel is authorized to make all necessary changes to the On File documents and to 2020-648 consistent with the changes set forth herein to effectuate the Council's action;
- (5) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

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Office of General Counsel

Legislation Prepared By: Paige H. Johnston

## ATTACHMENT A

Lot J proposed new Sections 19.27 and 19.28 (inspector general/ethics provisions):

19.27. Office of Inspector General and Office of Ethics, Compliance and Oversight. The City of Jacksonville has established an Office of Inspector General and an Office of Ethics, Compliance and Oversight, Parts 3 and 6, respectively, Chapter 602, *Jacksonville Ordinance Code*, as may be amended. The Inspector General's authority includes, but is not limited to, the power to: review past, present, and proposed City contracts, transactions, accounts, and records; require the production of records; and, audit, investigate, monitor, and inspect the activities of the City, its officials, employees, contractors, their subcontractors and lower tier subcontractors, and other parties doing business with the City and/or receiving City funds in order to ensure compliance with contract requirements and detect corruption and fraud. The Developer or any of its Affiliates, Developer Members, and Developer Subsidiaries (the "Related Entities" or "Related Entity") failure to cooperate with reasonable requests of the Inspector General or to interfere with or impede any investigation shall be a violation of Chapter 602, *Jacksonville Ordinance Code*, and a breach of this Agreement. The Office of Ethics, Compliance and Oversight's authority includes, but is not limited to, the power to: investigate, review and report on City issues, and past, present and proposed programs, activities, accounts, records, contracts and transactions all as related to the prevention and remediation of conflicts of interest, fraud, waste, and corruption; receive full and unrestricted access to the records of any and all officials and employees, contractors, including their subcontractors and lower tier subcontractors, of any office, agency, department, or part of the City and other parties doing business with any office, agency, department, or part of the City or receiving funds from any office, agency department, or part of the City relevant to investigations authorized by law. The Developer or any Related Entity's failure to cooperate with reasonable requests of the Office of Ethics, Compliance and Oversight or to interfere with or impede any investigation, review or report shall be a violation of Chapter 602, *Jacksonville Ordinance Code*, and a breach of this Agreement. The Developer shall require the Related Entities to adhere to the terms of this Section 19.27.

19.28. Jacksonville Ethics Code. The Developer represents that it has reviewed the Jacksonville Ethics Code, Chapter 602, *Jacksonville Ordinance Code*, specifically Sections 602.411 (disqualification of former officers and employees in matters connected with former duties or official responsibilities; disqualification of partners) and 602.412 (prohibited future employment), which provisions govern former City officers and employees. The Developer agrees that it will not employ or retain as agent or attorney any former City officer or employee who may be subject to the restrictions and prohibitions of Sections 602.411 and 602.412, unless such City officer or employee has provided written evidence to the Developer that pursuant to Sections 602.411 and 602.412 the appropriate individuals or committee has approved of such former City officer or employee's proposed agency, attorney, or employee relationship with the Developer. Additionally, the parties agree that the restrictions and prohibitions set forth in Sections 602.411 and 602.412 shall apply for an aggregate period of five (5) years from the date that such former City officer or employee leaves their City office or employment. The Developer shall require the Related Entities to also adhere to the terms of this Section 19.28. If the Developer or any Related Entity causes directly or indirectly a violation of Sections 602.411 and 602.412 of the *Jacksonville Ordinance Code* and this Section 19.28 to occur, the Developer and the Related Entities shall have 15 days from receipt of the City's written notice of violation to correct the violation, and if not, the Developer shall be considered in breach of this Agreement.