

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2022-317**

5 AN ORDINANCE MAKING CERTAIN FINDINGS AND  
6 APPROPRIATING \$8,000,000 MADE AVAILABLE THROUGH  
7 DEBT SERVICE SAVINGS FROM THE REFINANCING OF  
8 BONDS TO BE USED FOR VARIOUS PROJECTS AND COSTS  
9 AS FOLLOWS: (1) \$2,500,000 TO JACKSONVILLE  
10 UNIVERSITY FOR THE NEWLY ESTABLISHED COLLEGE OF  
11 LAW, (2) \$1,500,000 TO THE DUVAL COUNTY  
12 SUPERVISOR OF ELECTIONS OFFICE FOR UNBUDGETED  
13 ELECTION COSTS, (3) \$1,000,000 TO FUND THE  
14 BREEZE AIRWAYS ECONOMIC DEVELOPMENT AGREEMENT,  
15 (4) \$975,000 TO THE FLORIDA THEATRE FOR CAPITAL  
16 REPAIRS AND MAINTENANCE, (5) \$669,581 FOR  
17 DOWNTOWN PRESERVATION AND REVITALIZATION  
18 PROGRAM LOAN DISBURSEMENTS PURSUANT TO THE  
19 REDEVELOPMENT AGREEMENT BETWEEN THE DOWNTOWN  
20 INVESTMENT AUTHORITY ("DIA") AND JWB REAL ESTATE  
21 CAPITAL, LLC, AS AUTHORIZED AND APPROVED IN  
22 ORDINANCE 2022-30-E, (6) \$450,000 FOR EXTENSION  
23 OF AND IMPROVEMENTS TO CATHERINE STREET AND  
24 ADJACENT AREAS TO ACCOMMODATE THE NEWLY  
25 RELOCATED FIRE MUSEUM, (7) \$330,419 TO SPECIAL  
26 COUNCIL RESERVE CONTINGENCY FOR FUTURE  
27 APPROPRIATION, (8) \$300,000 FOR THE RETENTION  
28 POND SAFETY CAMPAIGN, (9) \$250,000 FOR RECYCLING  
29 EDUCATION, AND (10) \$25,000 TO THE SPRINGFIELD  
30 PRESERVATION AND REVITALIZATION COUNCIL, INC.  
31 ("SPAR") TO CONDUCT A SPRINGFIELD AREA PLANNING

1 AND DEVELOPMENT STUDY, AS INITIATED BY B.T. 22-  
2 071; PURPOSE OF APPROPRIATION; PROVIDING FOR  
3 CARRYOVER OF FUNDS; AUTHORIZING THE MAYOR, OR  
4 HIS DESIGNEE, AND THE CORPORATION SECRETARY TO  
5 EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE  
6 CITY OF JACKSONVILLE AND JACKSONVILLE UNIVERSITY  
7 TO PROVIDE FUNDING FOR ESTABLISHMENT AND  
8 OPERATION OF THE JACKSONVILLE UNIVERSITY COLLEGE  
9 OF LAW; WAIVING SECTION 118.107 (NONPROFITS TO  
10 RECEIVE FUNDING THROUGH A COMPETITIVE EVALUATED  
11 AWARD PROCESS), PART 1 (GENERAL PROVISIONS),  
12 CHAPTER 118 (CITY GRANTS), *ORDINANCE CODE*, TO  
13 ALLOW A DIRECT CONTRACT WITH JACKSONVILLE  
14 UNIVERSITY; APPROVING AND AUTHORIZING THE MAYOR,  
15 OR HIS DESIGNEE, AND THE CORPORATION SECRETARY  
16 TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE  
17 CITY OF JACKSONVILLE AND SPAR TO PROVIDE FUNDING  
18 FOR A SPRINGFIELD AREA PLANNING AND DEVELOPMENT  
19 STUDY; INVOKING THE EXCEPTION IN SECTION  
20 126.107(G), *ORDINANCE CODE*, TO ALLOW A DIRECT  
21 CONTRACT WITH SPAR TO PAY THE COSTS OF THE  
22 SPRINGFIELD AREA PLANNING AND DEVELOPMENT STUDY;  
23 WAIVING SECTION 118.107 (NONPROFITS TO RECEIVE  
24 FUNDING THROUGH A COMPETITIVE EVALUATED AWARD  
25 PROCESS), PART 1 (GENERAL PROVISIONS), CHAPTER  
26 118 (CITY GRANTS), *ORDINANCE CODE*, TO ALLOW A  
27 DIRECT CONTRACT WITH SPAR; AMENDING THE 2022-  
28 2026 FIVE-YEAR CAPITAL IMPROVEMENT PLAN APPROVED  
29 BY ORDINANCE 2021-505-E TO APPROPRIATE GENERAL  
30 FUND OPERATING FUND BALANCE TO THE FLORIDA  
31 THEATRE FACILITY IMPROVEMENTS AND MET PARK

1 MARINA FIRE STATION, MUSEUM & DOCK/DESIGN  
2 (REPLACEMENT) PROJECTS; PROVIDING AN EFFECTIVE  
3 DATE.

4  
5 **BE IT ORDAINED** by the Council of the City of Jacksonville:

6 **Section 1. Findings.** It is hereby ascertained, determined,  
7 found, and declared as follows:

8 (a) The authorizations provided by this Ordinance are for public  
9 uses and purposes for which the City may use its powers as a county,  
10 municipality and as a political subdivision of the State of Florida  
11 to expend public funds, and the necessity in the public interest for  
12 the provisions herein enacted is hereby declared as a matter of  
13 legislative determination.

14 **Section 2. Appropriation.** For the 2021-2022 fiscal year,  
15 within the City's budget, there is hereby appropriated the indicated  
16 sum(s) from the account(s) listed in subsection (a) to the account(s)  
17 listed in subsection (b):

18 (B.T. 22-071, attached hereto as **Exhibit 1** and incorporated herein  
19 by this reference)

- 20 (a) Appropriated from:  
21 See B.T. 22-071 \$8,000,000.00  
22 (b) Appropriated to:  
23 See B.T. 22-071 \$8,000,000.00

24 (c) Explanation of Appropriation:  
25 The funding above represents an appropriation of \$8,000,000  
26 made available through debt service savings from the  
27 refinancing of bonds to be used for various projects and  
28 costs as follows: (1) \$2,500,000 to Jacksonville University  
29 for the newly established College of Law in downtown  
30 Jacksonville; (2) \$1,500,000 to the Duval County Supervisor  
31 of Elections Office for unbudgeted election costs in fiscal

1 year 2021-2022; (3) \$1,000,000 to fund an economic  
2 development agreement with Breeze Airways for initial  
3 marketing efforts to establish new/additional flight  
4 routes to/from Jacksonville International Airport; (4)  
5 \$975,000 to the Florida Theatre for elevator repairs and  
6 other capital repairs and maintenance; (5) \$450,000 for  
7 extension of and improvements to Catherine Street and  
8 adjacent areas to accommodate access to the newly relocated  
9 Fire Museum; (6) \$669,581 for future Downtown Preservation  
10 and Revitalization Program Loans payments to JWB Real  
11 Estate Capital, LLC for renovations and rehabilitation of  
12 the Thomas V. Porter House as authorized and approved by  
13 Ordinance 2022-30-E; (7) \$330,419 to the Special Council  
14 Reserve Contingency Fund for future appropriation by the  
15 City Council; (8) \$300,000 for the retention pond safety  
16 campaign; (9) \$250,000 for recycling education; and (10)  
17 \$25,000 to the Springfield Preservation and Revitalization  
18 Council, Inc. ("SPAR").

19 **Section 3. Purpose.** The purpose of the appropriation in  
20 Section 2 is to pay for various projects and costs as outlined above.  
21 The appropriation to the Duval County Supervisor of Elections Office  
22 is necessary to cover the costs associated with the unexpected,  
23 unbudgeted election for the Group 3 At-Large City Council seat in  
24 fiscal year 2021-2022. This appropriation also includes payment of  
25 \$2,500,000 to Jacksonville University to fund the first half of the  
26 City's commitment to provide a total of \$5,000,000 toward  
27 establishment and operation of a new College of Law in downtown  
28 Jacksonville. In addition, \$1,000,000 will be paid to Breeze Airways  
29 as part of an economic development agreement that will be presented  
30 in subsequent legislation for City Council approval. This  
31 appropriation also includes \$669,581 for Downtown Preservation and

1 Revitalization Program Loan disbursements to be made pursuant to the  
2 Redevelopment Agreement between the DIA and JWB Real Estate Capital,  
3 LLC, for certain improvements to renovate and rehabilitate the Thomas  
4 V. Porter House Building, located at 510 N. Julia Street, as  
5 authorized and approved in Ordinance 2022-30-E. A portion of the  
6 funds will be used to offset costs for repairs to the Florida Theatre  
7 elevators and other capital repairs and maintenance at that facility,  
8 and for improvements to Catherine Street and areas surrounding the  
9 newly relocated Fire Museum. Finally, a portion of the funds will  
10 be used for recycling and retention pond safety and educational  
11 campaigns and to fund a planning and development study for the  
12 Springfield Historic District, with the remaining \$330,419 being  
13 appropriated to the Special Council Contingency Reserve Activity.

14 **Section 4. Carryover.** The funds appropriated in this  
15 Ordinance shall not lapse but shall carryover to fiscal year 2023-  
16 2024 with the exception that those funds appropriated to the Duval  
17 County Supervisor of Elections Office shall be encumbered and expended  
18 in fiscal year 2021-2022.

19 **Section 5. Approval and Authorization to Execute an**  
20 **Agreement Between the City and Jacksonville University ("JU").** The  
21 Mayor, or his designee, and the Corporation Secretary are hereby  
22 authorized to execute and deliver, for and on behalf of the City, a  
23 funding agreement with JU in an amount not-to-exceed \$2,500,000 for  
24 establishment and operation of the new Jacksonville University  
25 College of Law to be located in downtown Jacksonville, as more fully  
26 described in **Exhibit 2**, attached hereto and incorporated herein by  
27 this reference, and all other contracts, memorandums of understanding  
28 and documents, including extensions, renewals or amendments thereto,  
29 and to otherwise take all action necessary to effectuate the intent  
30 of this Ordinance, subject to appropriate legal review and approval  
31 by the Office of General Counsel and the City's Risk Management

1 Division for appropriate insurance and indemnification requirements  
2 in accordance with Section 128.601, *Ordinance Code*.

3       **Section 6.       Waiving Section 118.107 (Nonprofits to receive**  
4 **funding through a competitive evaluated award process), Part 1**  
5 **(General Provisions), Chapter 118 (City Grants), *Ordinance Code*.** The  
6 provisions of Section 118.107 (Nonprofits to receive funding through  
7 a competitive evaluated award process), Part 1 (General Provisions),  
8 Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow  
9 for a direct contract between the City of Jacksonville and  
10 Jacksonville University. JU is a non-profit organization and is  
11 establishing a new College of Law in downtown Jacksonville. The City  
12 finds that this direct contract is justified because JU intends to  
13 make a significant investment in downtown Jacksonville to establish  
14 this new college to meet a pressing need for quality legal education  
15 in northeast Florida.

16       **Section 7.       Approval and Authorization to Execute a Grant**  
17 **Agreement Between the City and Springfield Preservation and**  
18 **Revitalization Council, Inc. ("SPAR").** The Mayor, or his designee,  
19 and the Corporation Secretary are hereby authorized to execute and  
20 deliver, for and on behalf of the City, a grant agreement with SPAR  
21 in an amount not-to-exceed \$25,000 to procure the services of the  
22 Urban Land Institute to conduct a planning and development study  
23 ("Technical Assistance Panel") of the Springfield Historic District  
24 as more fully described in **Exhibit 3**, attached hereto and incorporated  
25 herein by this reference, and all other contracts, memorandums of  
26 understanding and documents, including extensions, renewals or  
27 amendments thereto, and to otherwise take all action necessary to  
28 effectuate the intent of this Ordinance, subject to appropriate legal  
29 review and approval by the Office of General Counsel and the City's  
30 Risk Management Division for appropriate insurance and  
31 indemnification requirements in accordance with Section 128.601,

1 *Ordinance Code.*

2       **Section 8.       Invoking the exception to Section 126.107(g),**  
3 **Ordinance Code.** The City is hereby authorized to direct contract  
4 with Springfield Preservation and Revitalization Council, Inc., for  
5 the completion of a planning and development study by the Urban Land  
6 Institute for the Springfield Historic District. Pursuant to Section  
7 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126  
8 (Procurement Code), Ordinance Code, such procurement is exempted from  
9 competitive solicitation because the supplies or services are to be  
10 provided by those specifically prescribed within authorizing  
11 legislation that appropriates the same. With the exception of the  
12 foregoing, all other provisions of Chapter 126, Ordinance Code, shall  
13 remain in full force and effect.

14       **Section 9.       Waiving Section 118.107, Ordinance Code.** The  
15 provisions of Section 118.107 (Nonprofits to receive funding through  
16 a competitive evaluated award process), Part 1 (General Provisions),  
17 Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow  
18 for a direct contract between the City of Jacksonville and Springfield  
19 Preservation and Revitalization Council, Inc. SPAR is a non-profit  
20 organization whose mission is to preserve the character and historic  
21 nature and fabric of the Springfield Historic District while also  
22 facilitating improvements to the quality of life of its residents and  
23 businesses. The City finds that this direct contract is justified  
24 because SPAR intends to use the funds to pay for a planning and  
25 development study by the Urban Land Institute that will help guide  
26 future development in the Springfield Historic District. This will  
27 assist SPAR and the City in identifying civil infrastructure  
28 deficiencies and improvement opportunities in the district, as well  
29 as appropriate residential densities and land uses, and will be used  
30 to help direct business development to appropriate commercial  
31 corridors and nodes within the Historic District.

1           **Section 10.       Capital Improvement Plan Amendment.** Ordinance  
2 2021-505-E, adopting the 2022-2026 Five-Year Capital Improvement Plan  
3 (the "CIP") for the City and certain of its independent agencies, is  
4 hereby amended to appropriate funds to the Florida Theatre Facility  
5 Improvements and the Met Park Marina Fire Station, Museum &  
6 Dock/Design (Replacement) projects for elevator replacement and other  
7 capital repairs and maintenance at the Florida Theatre and  
8 improvements to Catherine Street to accommodate the newly relocated  
9 Fire Museum, as more fully described in the Project Information Sheets  
10 attached hereto as **Exhibit 4** and incorporated herein by this  
11 reference. The City Council finds that the deferral of this amendment  
12 of the CIP until the next annual budget and CIP review will be  
13 detrimental to the best interests of the community because such  
14 deferral will unnecessarily delay these projects and could lead to  
15 increased construction costs due to market volatility. In addition,  
16 the capital repairs and replacements at the Florida Theatre will  
17 ensure the continued safe operation and maintenance of that public  
18 facility by addressing the most pressing capital improvement needs  
19 of the Theatre.

20           Pursuant to Section 122.605(c), *Ordinance Code*, enactment of  
21 this Ordinance requires the affirmative vote of two-thirds of the  
22 City Council members present at the meeting because of the CIP  
23 amendment set forth in this section. This Ordinance shall constitute  
24 an amendment to Ordinance 2021-505-E. In all other respects, the  
25 Five-Year Capital Improvement Plan approved by Ordinance 2021-505-E  
26 shall remain unchanged and continue in full force and effect.

27           **Section 11.       Effective Date.** This Ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.  
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31



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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