

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

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4 **ORDINANCE 2022-409**

5 AN ORDINANCE APPROPRIATING FUND BALANCE FROM THE
6 ENVIRONMENTAL PROTECTION FUND (THE "FUND") IN
7 THE AMOUNT OF \$274,000.00 FOR INSTALLATION OF A
8 NUTRIENT SEPARATING BAFFLE BOX PILOT PROJECT BY
9 CENTRAL PIPE REHAB LLC, TO TREAT STORMWATER
10 PRIOR TO ITS DISCHARGE INTO THE ST. JOHNS RIVER
11 (THE "PROJECT"), AS INITIATED BY B.T. 22-073;
12 PURPOSE OF APPROPRIATION; PROVIDING FOR
13 CARRYOVER OF FUNDS THROUGH SEPTEMBER 30, 2024;
14 APPROVING, AND AUTHORIZING THE MAYOR, OR HIS
15 DESIGNEE, AND THE CORPORATION SECRETARY TO
16 EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE
17 CITY OF JACKSONVILLE AND CENTRAL PIPE REHAB LLC
18 FOR THE PROJECT; INVOKING THE EXCEPTION OF
19 126.107(G) (EXEMPTIONS), CHAPTER 126
20 (PROCUREMENT CODE), *ORDINANCE CODE*, TO DIRECT
21 CONTRACT WITH CENTRAL PIPE REHAB LLC FOR THE
22 PROJECT; WAIVING SECTION 110.112 (ADVANCE OF
23 CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE
24 CITY TREASURY), CHAPTER 110 (CITY TREASURY),
25 *ORDINANCE CODE*, TO ALLOW FOR ADVANCE PAYMENT BY
26 THE CITY; PROVIDING FOR OVERSIGHT BY THE
27 NEIGHBORHOODS DEPARTMENT, ENVIRONMENTAL QUALITY
28 DIVISION; REQUIRING REPORTS ON MONITORING
29 ACTIVITIES; PROVIDING AN EFFECTIVE DATE.

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

1 expenditure, as reflected in the Monthly Meeting Summary attached
2 hereto as **Exhibit 2** and incorporated herein by this reference.

3 **Section 3. Carryover.** The funds appropriated in this
4 Ordinance shall not lapse but shall carryover through September 30,
5 2024.

6 **Section 4. Agreement Approved and Execution Authorized.**
7 There is hereby approved, and the Mayor, or his designee, and the
8 Corporation Secretary are hereby authorized to execute and deliver,
9 the Agreement between the City of Jacksonville and Central Pipe Rehab
10 LLC for Services Relating to the NSBB Project, in substantially the
11 same form as attached hereto as **Exhibit 3** and incorporated herein by
12 this reference (the "Agreement"). The Agreement may include any
13 respective extensions or amendments thereto as necessary and
14 appropriate to effectuate the intent of this Ordinance; provided,
15 however, no modifications to the Agreement may increase the financial
16 obligations or or the liability of the City to an amount in excess
17 of the amount stated in the Agreement or decrease the duties and
18 obligations of Jacksonville University as stated in the Agreement.

19 **Section 5. Invoking the Exception to Section 126.107(g),**
20 **Ordinance Code.** The City is hereby authorized to procure the use of
21 the professional services of Central Pipe Rehab LLC to conduct the
22 Project. Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
23 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such
24 procurement is exempted from competitive solicitation because the
25 supplies or services are to be provided by those specifically
26 prescribed within authorizing legislation that appropriates the same.
27 With the exception of the foregoing, all other provisions of Chapter
28 126, *Ordinance Code*, shall remain in full force and effect.

29 **Section 6. Waiver of Section 110.112, Ordinance Code.**
30 Section 110.112 (Advance of City funds; prohibition against), Part 1
31 (The City Treasury), Chapter 110 (City Treasury), *Ordinance Code*, is

1 hereby waived to allow for advance payment to Central Pipe Rehab LLC
2 as described in the Agreement.

3 **Section 7. Oversight.** The Neighborhoods Department,
4 Environmental Quality Division, shall provide oversight of the
5 Agreement and Project described herein.

6 **Section 8. Monitoring Reports.** Central Pipe Rehab LLC is
7 required to provide a six-month and final report on monitoring
8 activities to the Neighborhoods Department, Environmental Quality
9 Division.

10 **Section 9. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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14 Form Approved:

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16 _____
17 Office of General Counsel

18 Legislation prepared by: Mary E. Staffopoulos

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