

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health and
3 Safety Committee:

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6 **ORDINANCE 2022-317-E**

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

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

SERVICE SAVINGS TO THE FLORIDA THEATRE FACILITY
IMPROVEMENTS AND MET PARK MARINA FIRE STATION,
MUSEUM & DOCK/DESIGN (REPLACEMENT) PROJECTS;
PROVIDING AN EFFECTIVE DATE.

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

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

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

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

(Revised B.T. 22-071, attached hereto as **Revised Exhibit 1**, labeled
as "Revised Exhibit 1, Rev B.T. 22-071, May 16, 2022 - NCSPHS and
incorporated herein by this reference)

(a) Appropriated from:

See Revised B.T. 22-071 \$8,000,000.00

(b) Appropriated to:

See Revised B.T. 22-071 \$8,000,000.00

(c) Explanation of Appropriation:

The funding above represents an appropriation of \$8,000,000
made available through debt service savings from the
refinancing of bonds to be used for various projects and
costs as follows: (1) \$2,500,000 to Jacksonville University
for the newly established College of Law in downtown

1 Jacksonville; (2) \$1,500,000 to the Duval County Supervisor
2 of Elections Office for unbudgeted election costs in fiscal
3 year 2021-2022; (3) \$1,000,000 to fund an economic
4 development agreement with Breeze Airways for initial
5 marketing efforts to establish new/additional flight
6 routes to/from Jacksonville International Airport; (4)
7 \$975,000 to the Florida Theatre for elevator repairs and
8 other capital repairs and maintenance; (5) \$450,000 for
9 extension of and improvements to Catherine Street and
10 adjacent areas to accommodate access to the newly relocated
11 Fire Museum; (6) \$669,581 for future Downtown Preservation
12 and Revitalization Program Loans payments to JWB Real
13 Estate Capital, LLC for renovations and rehabilitation of
14 the Thomas V. Porter House as authorized and approved by
15 Ordinance 2022-30-E; (7) \$330,419 to the Special Council
16 Reserve Contingency Fund for future appropriation by the
17 City Council; (8) \$300,000 for the retention pond safety
18 campaign; (9) \$250,000 for recycling education; and (10)
19 \$25,000 to the Springfield Preservation and Revitalization
20 Council, Inc. ("SPAR").

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

1 in subsequent legislation for City Council approval. This
2 appropriation also includes \$669,581 for Downtown Preservation and
3 Revitalization Program Loan disbursements to be made pursuant to the
4 Redevelopment Agreement between the DIA and JWB Real Estate Capital,
5 LLC, for certain improvements to renovate and rehabilitate the Thomas
6 V. Porter House Building, located at 510 N. Julia Street, as
7 authorized and approved in Ordinance 2022-30-E. A portion of the
8 funds will be used to offset costs for repairs to the Florida Theatre
9 elevators and other capital repairs and maintenance at that facility,
10 and for improvements to Catherine Street and areas surrounding the
11 newly relocated Fire Museum. Finally, a portion of the funds will
12 be used for recycling and retention pond safety and educational
13 campaigns and to fund a planning and development study for the
14 Springfield Historic District, with the remaining \$330,419 being
15 appropriated to the Special Council Contingency Reserve Activity.

16 **Section 4. Carryover.** The funds appropriated in this
17 Ordinance shall not lapse but shall carryover to fiscal year 2023-
18 2024 with the exception that those funds appropriated to the Duval
19 County Supervisor of Elections Office and the Springfield
20 Preservation and Revitalization Council, Inc. shall be encumbered and
21 expended in fiscal year 2021-2022.

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

1 and to otherwise take all action necessary to effectuate the intent
2 of this Ordinance, subject to appropriate legal review and approval
3 by the Office of General Counsel and the City's Risk Management
4 Division for appropriate insurance and indemnification requirements
5 in accordance with Section 128.601, *Ordinance Code*.

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

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

1 review and approval by the Office of General Counsel and the City's
2 Risk Management Division for appropriate insurance and
3 indemnification requirements in accordance with Section 128.601,
4 *Ordinance Code*.

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

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

1 as appropriate residential densities and land uses, and will be used
2 to help direct business development to appropriate commercial
3 corridors and nodes within the Historic District.

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

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

31 **Section 11. Effective Date.** This Ordinance shall become

