

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2022-849

Introducer/Sponsor(s): Council President at the request of the Mayor and by Council Member Salem

Date of Introduction: November 9, 2022

Committee(s) of Reference: NCSPHS, R, F

Date of Analysis: November 10, 2022

Type of Action: Authorizing execution of cost disbursement agreement; invoking exception to Procurement Code for direct contracting; Ordinance Code waiver; designation of oversight agency; request for emergency passage on first reading

Bill Summary: The bill authorizes execution of a costs disbursement agreement between the City and Jacksonville Baseball LLC (the Jacksonville Jumbo Shrimp) authorizing the club to make certain improvements to 121 Financial Field (Baseball Grounds of Jacksonville) in order to meet requirements imposed by Major League Baseball on its minor league affiliates. The bill invokes the exemption provided in Sec. 126.107(g) of the Procurement Code to permit direct contracting with the team pursuant to authority directly granted in this ordinance. It waives provisions of the Procurement Code (except for JSEB requirements that are not waived) and authorizes the City to directly purchase construction materials for the project on behalf of the team. It also waives provisions of the Procurement Code to permit the team to coordinate the sale of any surplus City property that may be created by the construction project, the proceeds of which are to be applied toward the cost of the project. The Public Works Department is designated as the City's oversight agency. Emergency passage on first reading is requested.

Background Information: Major League Baseball took over operation of the minor leagues several years ago and have issued new standards for minor league ballparks to enhance the baseball experience for players, teams, and fans. The standards include minimum sizes and quality standards for clubhouses and locker rooms, better team food preparation and dining areas, better field lighting, better training facilities (weight rooms, indoor batting/pitching cages, etc.), better fan amenities, and better facilities for female employees. The City has programmed \$24.8 million in the CIP for the improvements (\$10 million in FY22-23, \$7.5 million in FY23-24, \$7.3 million in FY24-25).

The Improvements Cost Disbursement Agreement provides for the Jumbo Shrimp to manage the construction process in coordination with the City, which shall have the right to review and approve all scopes of service and procurement methods for the project and review and approve all designs and material specifications. The team will be responsible for competitively and publicly soliciting for design professionals, contractors and materials suppliers and for obtaining any required permits. The City shall only provide funding on a work performed and invoices basis after receiving from team and thereafter reviewing invoices and related documentation from design professionals, contractors, or any other vendor, and after inspection of the work by the City. For each year of the agreement, the team may elect at its own cost to advance spend for a portion of the Improvements in excess of funds budgeted by the City for such year (and provided such work is procured consistent with and is otherwise eligible for reimbursement under the Agreement), and shall be eligible for reimbursement for such work in the following fiscal year, subject to Council appropriation of funds. Operation and maintenance of the improvements shall be subject to the current lease agreement between the City and the team.

Emergency first reading approval is requested so that the project development can start and some improvements possibly implemented before the start of the new baseball season in April 2023.

Policy Impact Area: Public facility improvement

Fiscal Impact: The City has programmed \$24.8 million for the improvements in the CIP over the next 3 fiscal years.

Analyst: Clements