

1 Introduced by Council Member Howland:
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3 **ORDINANCE 2023-806**

4 AN ORDINANCE REGARDING THE FY 2022-2023 CITY
5 GRANT AGREEMENT BETWEEN FOBT PIPELINE, INC., A
6 FLORIDA NOT FOR PROFIT CORPORATION ("FOBT"), AND
7 THE CITY OF JACKSONVILLE ("FY23 CITY GRANT
8 AGREEMENT"); WAIVING FOBT'S NON-COMPLIANCE WITH
9 THE PERMIT REQUIREMENT PROVISION IN THE FY23
10 CITY GRANT AGREEMENT; REQUESTING ONE-CYCLE
11 EMERGENCY PASSAGE; PROVIDING FOR AN EFFECTIVE
12 DATE.
13

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

15 **WHEREAS**, the City of Jacksonville (the "City") pursuant to
16 Ordinance 2022-504-E awarded FOBT Pipeline, Inc., a Florida not-for-
17 profit corporation ("FOBT"), a City grant in the amount of \$165,000
18 for the Green District Phase I Affordable Housing Project in
19 Durkeville (the "Affordable Housing Project"); and

20 **WHEREAS**, in accordance with Ordinance 2022-504-E, the City and
21 FOBT executed the FY 2022-2023 City Grant Agreement dated October 1,
22 2022 ("FY23 City Grant Agreement"), in the amount of \$165,000 to fund
23 the Affordable Housing Project; and

24 **WHEREAS**, pursuant to Section II.B.2 of the FY23 City Grant
25 Agreement, FOBT was required to obtain and maintain all permits
26 required by the State of Florida during the FY23 City Grant Agreement
27 term (the "Permit Requirement"); and

28 **WHEREAS**, FOBT inadvertently failed to comply with the Permit
29 Requirement during the FY23 City Grant Agreement term; and

30 **WHEREAS**, FOBT is otherwise in compliance with the City Grant
31 Agreement terms and Chapter 118, Parts 1-5 of the *Ordinance Code*, and

1 the City Council agrees to waive FOBT's non-compliance with the Permit
2 Requirement as provided herein; now therefore

3 **Section 1. Recital.** The recitals above are true and correct
4 and incorporated herein by reference.

5 **Section 2. Waiving FOBT's Non-Compliance with the Permit**
6 **Requirement Provision in the FY23 City Grant Agreement.** The Council
7 hereby waives FOBT's non-compliance with the Permit Requirement
8 during the FY23 City Grant Agreement term.

9 **Section 3. Requesting One-cycle Emergency Passage Pursuant**
10 **to Council Rule 4.901 (Declaration of Emergency), Part 9 (Emergency**
11 **Legislation), Chapter 4 (Procedures).** One-cycle emergency passage of
12 this legislation is requested. The nature of the emergency is that
13 FOBT is ineligible to receive reimbursement payments under the FY23
14 City Grant Agreement and the FY 2023-2024 City grant agreement awarded
15 to FOBT pursuant to Ordinance 2023-504-E due to the non-compliance
16 referenced in Section 2.

17 **Section 4. Effective Date.** This ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

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21 Form Approved:

22
23 /s/ Lawsikia J. Hodges

24 Office of General Counsel

25 Legislation prepared by: Lawsikia J. Hodges

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