

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

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4 **ORDINANCE 2023-868**

5 APPROVING, AND AUTHORIZING THE MAYOR, OR HER  
6 DESIGNEE, AND THE CORPORATION SECRETARY TO  
7 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE  
8 CITY OF JACKSONVILLE ("CITY"), THAT CERTAIN  
9 REVOCABLE PERMIT AND HOLD HARMLESS AGREEMENT  
10 ("AGREEMENT") BETWEEN THE CITY, JACKSONVILLE  
11 UNIVERSITY, AND OCEARCH FOR THE USE OF A CITY  
12 OWNED DOCK FACILITY IN THE MAYPORT COMMUNITY ON  
13 SUBMERGED LANDS LEASED PURSUANT TO THE  
14 SOVEREIGNTY SUBMERGED LANDS LEASE (BOT FILE  
15 #160359172) AUTHORIZED BY ORDINANCE 2022-0215-  
16 E, FOR THE DOCKING OF VESSELS USED FOR RESEARCH  
17 AND EDUCATIONAL PURPOSES, WITH AN INITIAL TERM  
18 OF THIRTY YEARS, WITH FOUR FIVE-YEAR RENEWAL  
19 OPTIONS, WITH NO USAGE FEE; PROVIDING FURTHER  
20 AUTHORIZATIONS; PROVIDING FOR OVERSIGHT BY THE  
21 PARKS, RECREATION AND COMMUNITY SERVICES  
22 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

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

25 **Section 1. Revocable Permit and Hold Harmless Agreement**

26 **Approved and Execution Authorized.** There is hereby approved, and the  
27 Mayor, or her designee, and the Corporation Secretary are hereby  
28 authorized to execute and deliver, for and on behalf of the City of  
29 Jacksonville ("City"), that certain Revocable Permit and Hold  
30 Harmless Agreement between the City, Jacksonville University ("JU")  
31 and OCEARCH in substantially the form placed **On File** with the

1 Legislative Services Division (the "Agreement"). Said Agreement  
2 authorizes JU and OCEARCH, a global non-profit organization  
3 conducting shark research, to use and access a City owned dock  
4 facility ("Mayport Dock") in the Mayport community located on  
5 submerged lands leased pursuant to the Sovereignty Submerged Lands  
6 Lease (BOT File #160359172) ("Submerged Land Lease") authorized by  
7 Ordinance 2022-0215-E for an initial term of thirty years, with four  
8 five-year renewal options, with no usage fee, for the docking of  
9 vessels used for research and educational purposes. JU currently  
10 leases from the City waterfront property adjacent to the Mayport Dock  
11 and located at 4610 Ocean Street for educational and outreach  
12 programming in partnership with OCEARCH pursuant to a lease authorized  
13 by Ordinance 2019-130-E.

14 **Section 2. Further Authorizations.** The Agreement may  
15 include such additions, deletions and changes as may be reasonable,  
16 necessary and acceptable to the Mayor, or her designee, with such  
17 inclusion and acceptance being evidenced by execution of the Agreement  
18 by the Mayor, or her designee; provided however, no modification to  
19 the Agreement may increase the financial obligations or liability of  
20 the City to an amount in excess of the amount stated in the Agreement  
21 or decrease the duties and obligations of JU or OCEARCH as stated in  
22 the Agreement, and any such modifications shall be technical only and  
23 shall be subject to appropriate legal review and approval by the  
24 Office of General Counsel. For the purposes of this Ordinance, the  
25 term "technical changes" is defined as those changes having no  
26 financial impact to the City, changes required for compliance with  
27 the terms and conditions of the Submerged Land Lease, and any other  
28 non-substantive changes that do not substantively increase the duties  
29 and responsibilities of the City under the provisions of the  
30 Agreement.

31 **Section 3. Oversight Department.** The Parks, Recreation and

1 Community Services Department shall oversee administration of the  
2 Agreement and project described herein.

3       **Section 4.       Effective Date.**   This Ordinance shall become  
4 effective upon signature by the Mayor or upon becoming effective  
5 without the Mayor's signature.

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7 Form Approved:

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9 /s/ Joelle J. Dillard

10 Office of General Counsel

11 Legislation Prepared By: Joelle J. Dillard

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