

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-73**

5 AN ORDINANCE APPROPRIATING \$122,091.00 IN FUND
6 BALANCE FROM THE ENVIRONMENTAL PROTECTION FUND
7 TO ASSIST IN THE ECOLOGICAL RESTORATION OF
8 HOGANS CREEK BY PROVIDING FUNDING TO
9 GROUNDWORK JACKSONVILLE, INC. FOR A WATER
10 QUALITY CREDIT PILOT PROJECT IN THE BRANCHES
11 OFF OF HOGANS CREEK, AS INITIATED BY B.T. 24-
12 054; PROVIDING A CARRYOVER OF FUNDS THROUGH
13 SEPTEMBER 30, 2025; INVOKING THE EXCEPTION OF
14 SECTION 126.107(G) (EXEMPTIONS), CHAPTER 126
15 (PROCUREMENT CODE), *ORDINANCE CODE*, TO DIRECT
16 CONTRACT WITH GROUNDWORK JACKSONVILLE, INC.;
17 APPROVING AND AUTHORIZING THE MAYOR, OR HER
18 DESIGNEE, AND THE CORPORATION SECRETARY TO
19 EXECUTE AND DELIVER THAT CERTAIN FUNDING
20 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
21 GROUNDWORK JACKSONVILLE, INC.; WAIVING
22 SECTION 110.112 (ADVANCE OF CITY FUNDS;
23 PROHIBITION AGAINST), PART 1 (THE CITY
24 TREASURY), CHAPTER 110 (CITY TREASURY),
25 *ORDINANCE CODE*, TO ALLOW FOR A PARTIAL ADVANCE
26 PAYMENT BY THE CITY; PROVIDING FOR CITY
27 OVERSIGHT BY THE NEIGHBORHOODS DEPARTMENT,
28 ENVIRONMENTAL QUALITY DIVISION; REQUIRING
29 ANNUAL REPORTS AND A FINAL REPORT TO
30 JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD;
31 PROVIDING AN EFFECTIVE DATE.

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

3 **Section 1. Appropriation.** For the 2023-2024 fiscal
4 year, within the City's budget, there are hereby appropriated the
5 indicated sum(s) from the account(s) listed in subsection (a) to
6 the account(s) listed in subsection (b):

7 (Revised B.T. 24-054 attached hereto as **Exhibit 1** and incorporated
8 herein by this reference)

9 (a) Appropriated from:

10 See Revised B.T. 24-054 \$122,091.00

11 (b) Appropriated to:

12 See Revised B.T. 24-054 \$122,091.00

13 (c) Explanation of appropriation

14 The funding above is appropriating fund balance from the
15 Environmental Protection Fund to fund a water quality
16 credit pilot project in the branches section of McCoys
17 Creek (the "Project").

18 **Section 2. Purpose.** The purpose of the appropriation in
19 Section 1 is to provide funding to Groundwork Jacksonville, Inc.
20 ("Groundwork") for the Project which shall be completed pursuant
21 to the terms, conditions and scope of work more particularly
22 described in that certain Funding Agreement between the City of
23 Jacksonville and Groundwork Jacksonville, Inc., as approved and
24 authorized in Section 5 below. The Environmental Protection Board
25 approved this expenditure of the Environmental Protection Fund at
26 its meeting on August 21, 2023.

27 **Section 3. Carryover.** The funds appropriated in Section
28 1 of this Ordinance shall not lapse but shall carryover into fiscal
29 year 2024-2025.

30 **Section 4. Invoking the exception pursuant to Section**
31 **126.107(g), Ordinance Code.** The City is hereby authorized to enter

1 into the Agreement authorized in Section 5 below. Pursuant to Section
2 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
3 (Procurement Code), *Ordinance Code*, such procurement is exempted from
4 competitive solicitation because the supplies of services are to be
5 provided by those specifically prescribed within authorizing
6 legislation that appropriates the same. With the exception of the
7 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
8 remain in full force and effect.

9 **Section 5. Approval and Authorizing the Agreement.** There
10 is hereby approved, and the Mayor or her designee, and the Corporation
11 Secretary are hereby authorized, to execute and deliver, for and on
12 behalf of the City, that certain Funding Agreement between the City
13 of Jacksonville and Groundwork Jacksonville, Inc. (the "Agreement"),
14 substantially in the form placed **On File** with the Office of
15 Legislative Services, and any respective extension or amendments
16 thereto as necessary and appropriate to effectuate the intent of this
17 ordinance.

18 **Section 6. Waiving Section 110.112, Ordinance Code.** Section
19 110.112 (Advance of City funds; prohibition against), Part 1 (The
20 City Treasury), Chapter 110 (City Treasury), *Ordinance Code*, is hereby
21 waived to allow for a partial advance payment as described in the
22 Agreement.

23 **Section 7. Oversight Department.** The Neighborhoods
24 Department, Environmental Quality Division, shall oversee the
25 Project.

26 **Section 8. Reports.** Annual reports shall be submitted by
27 Groundwork to the City's Environmental Protection Board on September
28 15th of each year through September 30, 2025. A final report shall
29 be submitted at the conclusion of the Project.

30 **Section 9. Effective Date.** This Ordinance shall
31 become effective upon signature by the Mayor or upon becoming

1 effective without the Mayor's signature.

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3 Form Approved:

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5 /s/ Joelle J. Dillard

6 Office of General Counsel

7 Legislation Prepared By: Joelle J. Dillard

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