

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-527**

5 AN ORDINANCE APPROPRIATING \$2,600,000 FROM
6 DEBT MANAGEMENT FUND - LOAN REPAYMENT TO THE
7 CAPITAL PROJECT ENTITLED "FIRE STATION #5 LAND
8 PURCHASE" TO PROVIDE FUNDING FOR THE PURCHASE
9 OF CERTAIN REAL PROPERTY LOCATED IN COUNCIL
10 DISTRICT 7, COMPRISED OF TWO ADJACENT PARCELS
11 CONSISTING OF APPROXIMATELY 1.21 ACRES OF
12 IMPROVED REAL PROPERTY LOCATED AT 347
13 RIVERSIDE AVENUE AND 0 ALFRED DUPONT PLACE,
14 JACKSONVILLE, FLORIDA, KNOWN GENERALLY AS THE
15 OLD FIRE STATION 5 SITE (THE "PROPERTY") TO
16 ALLOW FOR THE REALIGNMENT OF FOREST STREET AND
17 TO PROVIDE ADDITIONAL PARKING FOR SIDNEY J.
18 GEFEN RIVERWALK PARK, AS INITIATED BY B.T. 19-
19 109; PROVIDING A CARRYOVER OF FUNDS INTO
20 SUBSEQUENT FISCAL YEARS; PROVIDING FOR
21 REVERTER OF UNSPENT FUNDS; APPROVING AND
22 AUTHORIZING THE MAYOR OR HIS DESIGNEE AND
23 CORPORATION SECRETARY TO EXECUTE AND DELIVER A
24 PURCHASE AND SALE AGREEMENT ("AGREEMENT")
25 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND
26 FIDELITY NATIONAL FINANCIAL, INC. ("SELLER")
27 AND ALL DEEDS AND CLOSING DOCUMENTS RELATING
28 THERETO, AND OTHERWISE TAKE ALL NECESSARY
29 ACTION TO EFFECTUATE THE PURPOSES OF THE
30 AGREEMENT; AMENDING THE 2019-2023 FIVE-YEAR
31 CAPITAL IMPROVEMENT PROGRAM APPROVED BY

1 ORDINANCE 2018-505-E TO ADD THE PROJECT
2 ENTITLED "FIRE STATION #5 LAND PURCHASE
3 FR0029-02"; PROVIDING FOR OVERSIGHT BY THE
4 REAL ESTATE DIVISION OF THE PUBLIC WORKS
5 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

6
7 **WHEREAS**, Fidelity National Financial, Inc. ("Seller") is the
8 owner of an approximately 1.21 acres of unimproved real property
9 located at 347 Riverside Avenue, consisting of R.E. #s 088979-0100
10 and 088979-0105 in Council District 7, known generally as the old
11 Fire Station 5 Site (the "Property"), adjacent to Sidney J. Gefen
12 Riverwalk Park, which is located in the Northbank Downtown
13 Community Redevelopment Area; and

14 **WHEREAS**, the City proposes to purchase the Property for
15 \$2,600,000; and

16 **WHEREAS**, the City intends to realign Forest Street to provide
17 better access to the Property and surrounding properties, and to
18 improve parking for Sidney J. Gefen Riverwalk Park (the "Project");
19 and

20 **WHEREAS**, supporting the Project will assist in redeveloping a
21 vacant property in the downtown Northbank Area, eliminate blight
22 conditions in the area, and provide job opportunities to residents
23 of the area; now therefore

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

25 **Section 1. Appropriation.** For the 2018-2019 fiscal
26 year, within the City's budget, there are hereby appropriated the
27 indicated sum(s) from the account(s) listed in subsection (a) to
28 the account(s) listed in subsection (b):

29 (B.T. 19-109 is attached hereto as **Exhibit 1** and incorporated
30 herein by this reference)

31 (a) Appropriated from:

1 See B.T. 19-109 \$2,600,000.00

2 (b) Appropriated to:

3 See B.T. 19-109 \$2,600,000.00

4 (c) Explanation of appropriation

5 The funding above is an appropriation from Debt
6 Management Fund - Loan Repayment to purchase 1.21 acres
7 of real property located generally at 347 Riverside
8 Avenue, Jacksonville, Florida.

9 **Section 2. Purpose.** The purpose of the appropriation in
10 Section 1 is to provide funding for the purchase approximately 1.21
11 acres of real property located generally at 347 Riverside Avenue,
12 Jacksonville, Florida 32202, in Council District 7.

13 **Section 3. Carryover.** The funds appropriated in this
14 Ordinance shall not lapse but shall carryover to subsequent fiscal
15 years.

16 **Section 4. Reverter.** Any funds that are not spent for
17 the purposes set forth in this Ordinance shall revert back to the
18 account of origin.

19 **Section 5. Approval and Authorization.** There is hereby
20 approved and the Mayor, or his designee, and the Corporation
21 Secretary, are hereby authorized to execute and deliver on behalf
22 of the City the Purchase and Sale Agreement, deed and related
23 closing documents between the City of Jacksonville and Seller, in
24 substantially the form placed **On File** with the Legislative Services
25 Division (collectively, the "Agreements"), and all such other
26 documents, necessary or appropriate to effectuate the purpose of
27 this Ordinance (with such "technical" changes as herein
28 authorized).

29 The Agreements and related documents may include such
30 additions, deletions and changes as may be reasonable, necessary
31 and incidental for carrying out the purposes thereof, as may be

1 acceptable to the Mayor, or his designee, with such inclusion and
2 acceptance being evidenced by execution of the Agreement by the
3 Mayor, or his designee; provided however, no modification to the
4 Agreements may increase the financial obligations or liability of
5 the City to an amount in excess of the amount stated in the
6 Agreements or decrease the financial obligations or liability of
7 the Seller, and any such modification shall be technical only and
8 shall be subject to appropriate legal review and approval by the
9 Office of General Counsel. For purposes of this Ordinance, the term
10 "technical changes" is defined as those changes having no financial
11 impact to the City, including, but not limited to, changes in legal
12 descriptions or surveys, ingress and egress, easements and rights
13 of way, design standards, access and site plan, resolution of title
14 defects, if any, and other non-substantive changes that do not
15 substantively increase the duties and responsibilities of the City
16 under the provisions of the Agreements.

17 **Section 6. CIP Amendment.** Ordinance 2018-505-E, being
18 the 2019-2023 Five-Year Capital Improvement Program for the City
19 and certain of its independent agencies ("CIP"), is hereby amended
20 to add the project entitled "Fire Station #5 Land Purchase" (the
21 "Project"). The Project is more fully described in the Project
22 Information Sheet attached hereto as **Exhibit 2** and incorporated
23 herein by this reference. The Council finds that the deferral of
24 this amendment of the CIP until the next annual budget and CIP
25 review will be detrimental to the best interests of the community
26 because such deferral will impede the redevelopment of a vacant
27 property in the Northbank area and allow for blight conditions in
28 the area to persist. Pursuant to Section 122.605(c), *Ordinance*
29 *Code*, enactment of this ordinance requires approval by a two-thirds
30 vote of the Council members present at the meeting because of the
31 CIP amendment set forth in this section. Except as amended herein,

