

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-555**

5 AN ORDINANCE AUTHORIZING THE APPROPRIATION OF
6 \$1,725,422.19 IN FUNDING FROM THE CITY'S
7 GENERAL FUND, GENERAL SERVICE DISTRICT FUND
8 BALANCE, AS INITIATED BY B.T. 19-112, IN ORDER
9 TO PROVIDE FUNDING FOR THE REPAYMENT BY THE
10 CITY OF FUNDS RECEIVED FROM THE STATE OF
11 FLORIDA DEPARTMENT OF ENVIRONMENTAL
12 PROTECTION, PURSUANT TO THAT CERTAIN LAND AND
13 WATER CONSERVATION FUND AGREEMENT NO. 12-00182
14 BETWEEN THE CITY AND THE STATE OF FLORIDA
15 ("GRANT AGREEMENT"), TO ALLOW FOR THE FUTURE
16 DEVELOPMENT OF METROPOLITAN PARK; APPROVING
17 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE,
18 AND CORPORATION SECRETARY TO EXECUTE ANY GRANT
19 AGREEMENT TERMINATION DOCUMENTS AND OTHER
20 AGREEMENTS AS REQUIRED BY LAW; PROVIDING AN
21 EFFECTIVE DATE.

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23 **WHEREAS,** the City of Jacksonville ("City") entered into a Land
24 and Water Conservation Fund Agreement No. 12-00182 with the State
25 of Florida, Department of Natural Resources (now known as the
26 Department of Environmental Protection) dated January 26, 1981, as
27 amended, initially for the development of the project known as the
28 St. Johns River Esplanade (a proposed project generally between the
29 Times Union Center for Performing Arts (formerly known as the
30 Jacksonville Civic Auditorium) and the St. Johns River) but
31 ultimately relocated to Metropolitan Park, attached hereto as

1 **Exhibit 1** ("Grant Agreement"); and

2 **WHEREAS**, The City received a \$1,725,422.19 contribution
3 ("Contribution") pursuant to the Grant Agreement from the State of
4 Florida; and

5 **WHEREAS**, the City is preparing Metropolitan Park and adjacent
6 property generally known as the Shipyards for redevelopment and has
7 been unsuccessfully negotiating the conversion process with the
8 Department of Environmental Protection for almost 2 years; and

9 **WHEREAS**, Section 8 of the Grant Agreement allows the City to
10 return the Contribution in lieu of replacing Metropolitan Park if
11 for any reason the City shall convert Metropolitan Park to other
12 than recreational purposes; and

13 **WHEREAS**, on May 31, 2019, the City informed the Department of
14 Environmental Protection that the City was exercising its option to
15 return the Contribution pursuant to its letter attached hereto as
16 **Exhibit 2**; and

17 **WHEREAS**, the Council finds that it is in the best interests of
18 the City and the public to return the Contribution thereby
19 terminating the Grant Agreement; now therefore

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

21 **Section 1. Appropriation.** For the 2019-2020 fiscal year,
22 within the City's budget, there are hereby appropriated the
23 indicated sum(s) from the account(s) listed in subsection (a) to
24 the account(s) listed in subsection (b):

25 (B.T. 19-112 attached hereto as **Exhibit 3** and incorporated herein
26 by this reference)

27 (a) Appropriated from:

28 See B.T. 19-112 \$1,725,422.19

29 (b) Appropriated to:

30 See B.T. 19-112 \$1,725,422.19

31 (c) Explanation of Appropriation - The appropriation transfers

1 \$1,725,422.19 from the General Fund, General Service District
2 Fund Balance to the General Fund - General Service District,
3 Administration and Finance Fund, for Miscellaneous Non
4 Departmental Expenditures for the purpose of the return of the
5 Contribution.

6 **Section 2. Purpose.** The purpose of the appropriation in
7 Section 1 is to provide funding for the return of the Contribution
8 to the State of Florida, Department of Environmental Protection
9 thereby effectively terminating the Grant Agreement.

10 **Section 4. Return of Contribution Approval and**
11 **Authorization.** Although no current documentation is required for
12 the return of the Contribution, there is hereby approved, and the
13 Mayor, or his designee, and the Corporation Secretary are
14 authorized to enter into such documents and agreements as required
15 by law for the return of the Contribution.

16 **Section 5. Authorizing the Transfer of Funds.** The City
17 is authorized to transfer \$1,725,422.19 from the General Fund,
18 General Service District Fund balance to the General Fund, General
19 Service District, Administration and Finance as shown on B.T. 19-
20 112. Such amount shall be applied \$1,725,422.19 to return of the
21 Contribution pursuant to the Grant Agreement.

22 **Section 6. Further Action Authorized.** The Mayor, or his
23 designee, and the Corporation Secretary are authorized to take such
24 further action and to execute all other documents necessary to
25 effect the approved return of the Contribution.

26 **Section 7. Effective Date.** This Ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

1 Form approved:

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3 /s/ Emerson M. Lotzia

4 Office of General Counsel

5 Legislation Prepared By: Emerson M. Lotzia

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