

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Neighborhoods, Community Services, Public Health &  
3 Safety Committee:  
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6 **ORDINANCE 2019-527-E**

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

1           OTHERWISE TAKE ALL NECESSARY ACTION TO  
2           EFFECTUATE THE PURPOSES OF THE AGREEMENT;  
3           AMENDING THE 2019-2023 FIVE-YEAR CAPITAL  
4           IMPROVEMENT PROGRAM APPROVED BY ORDINANCE  
5           2018-505-E TO ADD THE PROJECT ENTITLED  
6           "BROOKLYN AREA DRAINAGE & SAFETY  
7           IMPROVEMENTS"; PROVIDING FOR OVERSIGHT BY THE  
8           REAL ESTATE DIVISION OF THE PUBLIC WORKS  
9           DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

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

18           **WHEREAS**, the City proposes to purchase the Property for  
19 \$2,600,000; and

20           **WHEREAS**, the City intends to realign Forest Street to provide  
21 better access to the Property and surrounding properties, and to  
22 improve parking for Sidney J. Gefen Riverwalk Park (the "Project");  
23 and

24           **WHEREAS**, supporting the Project will assist in redeveloping a  
25 vacant property in the downtown Northbank Area, eliminate blight  
26 conditions in the area, and provide job opportunities to residents  
27 of the area; now therefore

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

29           **Section 1. Appropriation.** For the 2018-2019 fiscal  
30 year, within the City's budget, there are hereby appropriated the

1 indicated sum(s) from the account(s) listed in subsection (a) to  
2 the account(s) listed in subsection (b):

3 (Revised B.T. 19-109 is attached hereto as **Revised Exhibit 1**,  
4 labeled as "Revised Exhibit 1, Revised B.T. 19-109, August 19, 2019  
5 - NCSPHS" and incorporated herein by this reference)

6 (a) Appropriated from:

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

8 (b) Appropriated to:

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

10 (c) Explanation of appropriation

11 The funding above is an appropriation from Debt  
12 Management Fund - Loan Repayment to purchase 1.21 acres  
13 of real property located generally at 347 Riverside  
14 Avenue, Jacksonville, Florida.

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

19 **Section 3. Carryover.** The funds appropriated in this  
20 Ordinance shall not lapse but shall carryover to subsequent fiscal  
21 years.

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

25 **Section 5. Approval and Authorization.** There is hereby  
26 approved and the Mayor, or his designee, and the Corporation  
27 Secretary, are hereby authorized to execute and deliver on behalf  
28 of the City the Purchase and Sale Agreement, deed and related  
29 closing documents between the City of Jacksonville and Seller, in  
30 substantially the form placed **On File** with the Legislative Services  
31 Division (collectively, the "Agreements"), and all such other

1 documents, necessary or appropriate to effectuate the purpose of  
2 this Ordinance (with such "technical" changes as herein  
3 authorized).

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

23 **Section 6. CIP Amendment.** Ordinance 2018-505-E, being  
24 the 2019-2023 Five-Year Capital Improvement Program for the City  
25 and certain of its independent agencies ("CIP"), is hereby amended  
26 to add the project entitled "Brooklyn Area Drainage & Safety  
27 Improvements" (the "Project"). The Project is more fully described  
28 in the Project Information Sheet attached hereto as **Revised Exhibit**  
29 **2**, labeled as "Revised Exhibit 2, Revised CIP, August 19, 2019 -  
30 NCSPHS" and incorporated herein by this reference. The Council  
31 finds that the deferral of this amendment of the CIP until the next

1 annual budget and CIP review will be detrimental to the best  
2 interests of the community because such deferral will impede the  
3 redevelopment of a vacant property in the Northbank area and allow  
4 for blight conditions in the area to persist. Pursuant to Section  
5 122.605(c), *Ordinance Code*, enactment of this ordinance requires  
6 approval by a two-thirds vote of the Council members present at the  
7 meeting because of the CIP amendment set forth in this section.  
8 Except as amended herein, the Five-Year Capital Improvement Program  
9 approved by Ordinance 2018-505-E shall continue in full force and  
10 effect.

11 **Section 7. Oversight.** The Real Estate Division of the  
12 Public Works Department shall provide oversight and administration  
13 of the Agreement for the duration thereof.

14 **Section 8. Effective Date.** This Ordinance shall become  
15 effective upon signature by the Mayor or upon becoming effective  
16 without the Mayor's signature.

17  
18 Form Approved:

19  
20 /s/ Paige H. Johnston

21 Office of General Counsel

22 Legislation Prepared By: John Sawyer

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