

1 Introduced by Council Member Gaffney & Co-Sponsored by Council
2 Members White, Newby, Morgan, Carlucci, Diamond, Salem and Pittman
3 and amended on the Floor of Council:
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6 **ORDINANCE 2019-558-E**

7 AN ORDINANCE APPROPRIATING \$247,389.95 IN
8 INVESTMENT POOL EARNINGS FROM THE JACKSONVILLE
9 INTERNATIONAL AIRPORT COMMUNITY REDEVELOPMENT
10 AGENCY ("JIA/CRA") TRUST FUND TO PROVIDE
11 FUNDING FOR A GRANT TO FARM SHARE, INC. ("FARM
12 SHARE") IN ORDER TO FUND UP TO ONE YEAR OF
13 RENT, MISCELLANEOUS MOVING EXPENSES, AND SOME
14 TENANT BUILD-OUT FOR ITS NEW JACKSONVILLE
15 WAREHOUSE; FINDING A MUNICIPAL AND JIA/CRA
16 PURPOSE; APPROVING AND AUTHORIZING THE MAYOR
17 AND CORPORATION SECRETARY TO EXECUTE AND
18 DELIVER, FOR AND ON BEHALF OF THE CITY OF
19 JACKSONVILLE ("CITY") THE FUNDING AGREEMENT
20 BETWEEN THE CITY AND FARM SHARE; PROVIDING FOR
21 WAIVER OF SECTION 118.201(F)7 (RELEASE OF
22 APPROPRIATIONS), PART 2 (DISBURSEMENT OF CITY
23 GRANTS), CHAPTER 118 (CITY GRANTS), *ORDINANCE*
24 *CODE*, THAT LIMITS ADVANCE FUNDING TO 10% OF
25 GRANT FUNDS FOR START UP COSTS; APPOINTING THE
26 OFFICE OF ECONOMIC DEVELOPMENT TO OVERSEE THE
27 PROJECT; REQUESTING ONE CYCLE EMERGENCY
28 PASSAGE; PROVIDING AN EFFECTIVE DATE.

29
30 **WHEREAS**, Farm Share, Inc. ("Farm Share") is a charitable food

1 bank and packing house that distributes produce, canned goods,
2 proteins, milk and non-perishable food products directly to
3 agencies as well as families, children, seniors and individuals in
4 need in Duval County; and

5 **WHEREAS**, Farm Share provides food free of charge to more than
6 150 agencies in Duval County, who, in turn, feed their local
7 communities, and also provide disaster relief services during
8 natural disasters; and

9 **WHEREAS**, since its expansion into the City of Jacksonville
10 ("City") in 2015, Farm Share has distributed more than 9,000,000
11 total pounds of food to persons in need in Duval County, for its
12 last fiscal year, ending June, 2019; and

13 **WHEREAS**, Farm Share's existing, rent-free lease expires
14 September 30, 2019, and Farm Share has been unable to locate any
15 suitable warehouse space that is cost effective and that provides
16 the square footage and food grade amenities to continue its
17 mission; and

18 **WHEREAS**, Farm Share has identified a suitable warehouse space
19 and requires assistance in order to continue to serve the citizens
20 of Duval County; and

21 **WHEREAS**, Section 106.346, Ordinance Code of Jacksonville,
22 requires that any additional revenues received by any CRA Trust
23 Fund in any fiscal year in excess of \$100,000 be approved and
24 appropriated by the Council of the City of Jacksonville ("Council")
25 and the \$247,389.95 in investment pool earnings now in the JIA/CRA
26 Trust Fund constitutes additional revenues of the JIA/CRA Trust
27 Fund; and

28 **WHEREAS**, the Board of the JIA/CRA has requested that the
29 Council appropriate the funding and approve the Funding Agreement
30 as stated in its Resolution attached hereto as **Revised Exhibit 1**,
31 labeled as "Revised Exhibit 1, Rev Board Reso, August 27, 2019 -

1 Floor"; now therefore

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

3 **Section 1. Appropriation.** For the 2018-2019 fiscal year,
4 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 accounts(s) listed in subsection (b):

7 (The account information is attached hereto as **Revised Exhibit 2,**
8 **Rev Acct Info, August 19, 2019 - NCSPHS"** and incorporated herein by
9 this reference)

10 (a) Appropriated from:

11 See **Revised Exhibit 2** \$247,389.95

12 (b) Appropriated to:

13 See **Revised Exhibit 2** \$247,389.95

14 (c) Explanation of Appropriation

15 The funding above is the appropriation of investment pool
16 earnings from the JIA/CRA Trust Fund to fund a grant to
17 Farm Share in order to fund up to one year of rent,
18 miscellaneous moving expenses, and some tenant build-out
19 for the sublease of its new Jacksonville warehouse in
20 accordance with the Funding Agreement so that Farm Share
21 may to continue providing charitable food distribution
22 services to the Duval County community.

23 **Section 2. Purpose.** The purpose of the appropriation in
24 Section 1 is to provide a grant to fund up to one year of rent for
25 Farm Share's sublease, miscellaneous moving expenses, and some
26 tenant build-out for its sublease space located within the JIA CRA
27 in Duval County. Farm Share's current lease for warehouse space
28 expires September 30, 2019, and absent additional funding will be
29 unable to continue its operations in Duval County, which will in
30 turn severely limit the amount of food that Farm Share is able to
31 distribute in Duval County. This funding complies with the JIA/CRA

1 Community Redevelopment Plan Objectives "3c. Increase the
2 opportunities for both temporary and full time employment of
3 Jacksonville residents" and "3g. Increase Jacksonville's
4 penetration of economic activity generated by the growth of the JIA
5 area of Jacksonville by developing additional commercial,
6 residential and open space uses in the redevelopment area."

7 **Section 3. Finding of Public Purpose.** The City finds
8 that Farm Share, Inc.'s use of City funds to support their mission
9 to provide food at no cost to the agencies and citizens of Duval
10 County is a valid municipal purpose for which funds should be
11 expended.

12 **Section 4. Approval and Authorization of Agreement.**
13 There is hereby approved, and the Mayor or his designee and
14 Corporation Secretary are hereby authorized to execute and deliver,
15 a Funding Agreement (the "Agreement") between the City of
16 Jacksonville and Farm Share, Inc., in substantially the form
17 attached hereto as **Revised Exhibit 3**, labeled as "Revised Exhibit
18 3, Rev Agmt, August 19, 2019 - NCSPHS".

19 **Section 5. Waiver of Section 118.201(F)7 (Release of**
20 **Appropriations), Ordinance Code.** Section 118.201(F)7 (Release of
21 Appropriations), Part 2 (Disbursement of City Grants), Chapter 118
22 (City Grants), *Ordinance Code*, is hereby waived. Section
23 118.201(F)7 limits advance payments of grant funds to no more than
24 10% for start-up costs. The waiver is necessary so the City can
25 disburse the grant funds on a quarterly basis in advance of the
26 rent obligations of Farm Share becoming due or delinquent.

27 **Section 6. Oversight.** The Office of Economic Development
28 shall provide oversight for the Agreement.

29 **Section 7. Requesting one cycle emergency passage**
30 **pursuant to Council Rules 4.901 Emergency.** One cycle emergency
31 passage of this legislation is requested. The nature of the

1 emergency is that Farm Share's existing warehouse lease will
2 terminate before this legislation travels through the normal
3 process as filed causing Farm Share to move its existing
4 Jacksonville operations outside of Jacksonville.

5 **Section 8. Effective Date.** This Ordinance shall become
6 effective upon signature by the Mayor or upon becoming effective
7 without the Mayor's signature.

8
9 Form Approved

10
11 /s/ Paige H. Johnston

12 Office of General Counsel

13 Legislation prepared by: Emerson Lotzia

14 GC-#1302278-v1-2019-558-E