

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:  
4  
5

6 **ORDINANCE 2020-142-E**

7 AN ORDINANCE APPROPRIATING \$3,002,961 BORROWED  
8 FROM DEBT MANAGEMENT FUND DOLLARS TO  
9 AUTHORIZED CAPITAL PROJECTS (SUBFUND 32E) TO  
10 FIDELITY NATIONAL INFORMATION SERVICES, INC.  
11 ("DEVELOPER"), FOR THE PURPOSE OF PROVIDING  
12 FUNDING FOR THE BROOKLYN AREA DRAINAGE &  
13 SAFETY IMPROVEMENTS PROJECT, AS INITIATED BY  
14 REVISED B.T. 20-000; APPROVING AND AUTHORIZING  
15 THE MAYOR AND CORPORATION SECRETARY TO EXECUTE  
16 AND DELIVER, FOR AND ON BEHALF OF THE CITY,  
17 THE PUBLIC INFRASTRUCTURE CAPITAL IMPROVEMENTS  
18 COSTS DISBURSEMENT AGREEMENT FOR RIGHT-OF-WAY  
19 IMPROVEMENTS TO THE RIVERSIDE AVENUE, ALFRED  
20 DUPONT PLACE AND FOREST STREET INTERSECTION  
21 AND ADJACENT AREAS BETWEEN THE CITY AND  
22 DEVELOPER IN ORDER TO PROVIDE THE DEVELOPER  
23 AUTHORITY FOR THE PLANNING, DESIGN,  
24 ENGINEERING, PERMITTING, CEI, AND CONSTRUCTION  
25 OF THE RIGHT-OF-WAY IMPROVEMENTS AND FOR CITY  
26 COST REIMBURSEMENT TO DEVELOPER FOR  
27 UNDERTAKING SAID ACTIVITIES; PROVIDING FOR  
28 OVERSIGHT BY THE ENGINEERING AND CONSTRUCTION  
29 MANAGEMENT DIVISION OF THE PUBLIC WORKS  
30 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.  
31

1           **WHEREAS**, as authorized by Ordinance 2019-596-E, the City has  
2 entered into an Economic Development Agreement with Fidelity  
3 National Information Services, Inc. ("Developer") to provide QTI  
4 Refunds, a REV Grant and a City Closing Fund Grant to the Developer  
5 in the maximum, combined amount of \$27,500,000 to support the  
6 construction by Developer of a new, 300,000 sq. ft. corporate  
7 headquarters and related parking facility in downtown Jacksonville  
8 (the "Project"); and

9           **WHEREAS**, on February 11, 2020 Ordinance 2020-116 was  
10 introduced and, if approved, the City intends to enter into a  
11 Redevelopment Agreement with the Developer in order to convey  
12 certain City-owned real property to the Developer as needed for the  
13 Project, and for the City to enter into a Restrictive Covenants and  
14 Parking Rights Agreement for night time and weekend parking in a  
15 portion of the parking facility by the general public; and

16           **WHEREAS**, attendant to the Project, there are certain road and  
17 right-of-way improvements to Riverside Avenue, Alfred DuPont Place  
18 and Forest Street that are needed to correct a misaligned  
19 intersection and improve pedestrian access to Gefen Park and the  
20 Riverwalk, in addition to supporting the Project (the "Right-of-Way  
21 Improvements"); and

22           **WHEREAS**, the Developer has requested and the City has agreed  
23 to enter into a Public Infrastructure Capital Improvements Costs  
24 Disbursement Agreement (the "Agreement") with the Developer for the  
25 Developer to perform the Right-of-Way Improvements on behalf of the  
26 City with the costs thereof to be reimbursed by the City in  
27 accordance with the Agreement; now, therefore

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

29           **Section 1.       Appropriation.** For the 2019-2020 fiscal year,  
30 within the City's budget, there are hereby appropriated the  
31 indicated sum(s) from the account(s) listed in subsection (a) to

1 the account(s) listed in subsection (b):

2 (Revised B.T. 20-000 attached hereto as **Revised Exhibit 1**, labeled  
3 as "Revised Exhibit 1, Revised B.T. 20-000, April 6, 2020 - NCSPHS"  
4 and incorporated herein by this reference)

5 (a) Appropriated from:

6 See Revised B.T. 20-000 \$3,002,961

7 (b) Appropriated to:

8 See Revised B.T. 20-000 \$3,002,961

9 (c) Explanation of Appropriation: the appropriation  
10 above is appropriating \$2,015,156 borrowed from Debt  
11 Management Fund dollars to reimburse the Developer  
12 for design and construction costs attendant to  
13 certain right-of-way improvements to be performed by  
14 Developer on City-owned rights-of-way.

15 **Section 2. Purpose of Appropriation.** The purpose of the  
16 appropriation above is to provide the Developer authority for the  
17 planning, design, engineering, permitting, CEI, and construction of  
18 the Right-of-Way Improvements and for City cost reimbursement to  
19 Developer for undertaking said activities. The Agreement will help  
20 facilitate the reconstruction and realignment of portions of  
21 Riverside Avenue, Alfred DuPont Place and Forest Street and the  
22 development of the Developer's property, which is adjacent to City-  
23 owned right-of-way at the intersection of Riverside Avenue, Forest  
24 Street and Alfred DuPont Place. The Right-of-Way Improvements serve  
25 a public purpose as a means for the City to meet its infrastructure  
26 improvements and public safety needs.

27 **Section 3. CIP Amendment.** Ordinance 2019-505-E, being  
28 the 2019-2023 Five-Year Capital Improvement Program for the City  
29 and certain of its independent agencies ("CIP"), is hereby amended  
30 to add additional funds in the amount of \$3,002,961 to the project  
31 entitled "Brooklyn Area Drainage & Safety Improvements" (the

1 "Project"). The Project is more fully described in the Project  
2 Information Sheet attached hereto as **Revised Exhibit 2**, labeled as  
3 "Revised Exhibit 2, Revised CIP, April 6, 2020 - NCSPHS" and  
4 incorporated herein. The Council finds that the deferral of this  
5 amendment of the CIP until the next annual budget and CIP review  
6 will be detrimental to the best interests of the community because  
7 such deferral will prolong this needed improvement. Pursuant to  
8 Section 122.605(c), Ordinance Code, enactment of this ordinance  
9 requires approval by a two-thirds vote of the Council members  
10 present at the meeting because of the CIP amendment set forth in  
11 this section. Except as amended herein, the Five-Year Capital  
12 Improvement Program approved by Ordinance 2019-505-E shall continue  
13 in full force and effect.

14 **Section 4. Execution of Public Infrastructure Capital**  
15 **Improvements Costs Disbursement Agreement authorized.** The Mayor,  
16 or his designee, and the Corporation Secretary are hereby  
17 authorized to execute and deliver, for and on behalf of the City,  
18 the Public Infrastructure Capital Improvements Costs Disbursement  
19 Agreement for the Right-of-Way Improvements (the "Agreement")  
20 between the City and Fidelity National Information Services, Inc.  
21 (the "Developer"), in substantially the same form placed **Revised On**  
22 **File** with the Office of Legislative Services. Total City funding  
23 for the project is capped at \$4,515,156.

24 **Section 5. Oversight.** Oversight of the Project and  
25 the Agreement shall be provided by the Engineering and Construction  
26 Management Division of the Public Works Department.

27 **Section 6. Effective Date.** This Ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.

1  
2  
3  
4  
5  
6  
7  
8

Form Approved:

/s/ Paige H. Johnston

Office of General Counsel

Legislation prepared by: John Sawyer

GC-#1361330-v1-2020-142-E.docx