

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2021-51**
5

6 AN ORDINANCE APPROVING A PURCHASE AND SALE AND
7 MOBILITY FEE AND CREDIT AGREEMENT
8 ("AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE
9 AND RUM EAST, LLC, ET. AL., TO AUTHORIZE
10 \$304,000.00 IN MOBILITY FEE CREDITS IN
11 EXCHANGE FOR THE CONVEYANCE, AT NO FURTHER
12 COST TO THE CITY, OF APPROXIMATELY 2.7 ACRES
13 ALONG PECAN PARK ROAD LOCATED WITHIN COUNCIL
14 DISTRICT 7, AND FOR THE MEMORIALIZATION OF THE
15 MOBILITY FEE REQUIRED FOR FUTURE DEVELOPMENT
16 OF THE ADJACENT PROPERTY KNOWN AS THE "PECAN
17 PARK REGIONAL ACTIVITY CENTER"; AUTHORIZING
18 THE MAYOR AND CORPORATION SECRETARY TO EXECUTE
19 AND DELIVER THE AGREEMENT AND ALL CLOSING
20 DOCUMENTS RELATING THERETO, AND OTHERWISE TAKE
21 ALL NECESSARY ACTIONS TO EFFECTUATE THE
22 PURPOSES OF THE AGREEMENT; PROVIDING FOR
23 OVERSIGHT BY THE PLANNING AND DEVELOPMENT
24 DEPARTMENT REGARDING THE MOBILITY FEE CREDIT
25 AND MOBILITY FEES, AND THE REAL ESTATE
26 DIVISION OF THE DEPARTMENT OF PUBLIC WORKS FOR
27 THE ACQUISITION; PROVIDING AN EFFECTIVE DATE.
28

29 **WHEREAS**, the City desires to enter into the Purchase and Sale
30 and Mobility Fee and Credit Agreement (the "Agreement") to
31 authorize Mobility Fee Credits in favor of Rum East, LLC, et. al.,

1 ("Developer") in the amount of \$304,000.00 for use within the
2 property known as the Pecan Park Regional Activity Center ("RAC")
3 located on Pecan Park Road where the Developer has agreed to convey
4 land, approximately forty-five (45) feet in depth along its road
5 frontage on Pecan Park Road for the City's use as additional right-
6 of-way; and

7 **WHEREAS**, the provision of Mobility Fee Credits in exchange for
8 the conveyance of land required for an applicable transportation
9 improvement project is allowed pursuant to Sec. 655.507, *Ordinance*
10 *Code*; and

11 **WHEREAS**, the land to be conveyed was appraised by two
12 appraisers whose separate appraisals indicated an average value of
13 \$304,000.00; and

14 **WHEREAS**, these Credits will be used to offset the Mobility Fee
15 that is required for the development within the RAC; and

16 **WHEREAS**, the required public hearings were held by the
17 appropriate City Council committee of reference and the City
18 Council, with due public notice having been provided pursuant to
19 the requirements of Chapter 655, *Ordinance Code*, Section 166.041,
20 *Florida Statutes*, and Rule 3.601, *Council Rules*; now therefore

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

22 **Section 1. Approval of Agreement.** The Agreement between
23 the City of Jacksonville and
24 Developer, in substantially the same form as attached hereto as
25 **Exhibit 1**, is hereby approved.

26 **Section 2. Purpose.** The Agreement authorizes Mobility
27 Fee Credit in the amount of \$304,000.00 to be used toward the
28 payment of Mobility Fees on the RAC property in exchange for the
29 conveyance of land, at no cost to the City, located along the north
30 side of the existing Pecan Park Road right-of-way located generally
31 between I-95 and Main Street in Council District 7 as described in

1 the Agreement, attached hereto as **Exhibit 1**. The conveyed land is
2 intended for the widening of Pecan Park Road by the City as
3 proposed in the 2030 Mobility Plan. The Mobility Fee Credit amount
4 was determined by taking the average of two appraisals, which were
5 approved by the Real Estate Division of Public Works. The Mobility
6 Fee Credit may be used to offset the Mobility Fee generated only
7 from the development of the RAC as described in the Agreement.
8 Additionally, the Agreement memorializes the Mobility Fees that are
9 required for the development of the RAC for a ten (10) year term.

10 **Section 3. Authorization for Execution of Agreement.** The
11 Mayor and the Corporation Secretary are hereby authorized to
12 execute and deliver on behalf of the City the Agreement between the
13 City of Jacksonville and Rum East, LLC, et. al., in substantially
14 the form as attached hereto as **Exhibit 1**, and all such other
15 documents necessary or appropriate to effectuate the purpose of
16 this ordinance with such "technical" changes as herein authorized
17 and defined as those changes having no financial impact to the
18 City, including, but not limited to, changes in legal descriptions
19 or surveys, ingress and egress, easements and rights of way, design
20 standards, access and site plan, resolution of title defects, if
21 any, and other non-substantive changes that do not substantively
22 increase the duties and responsibilities of the City under the
23 provisions of the Agreement.

24 **Section 4. Oversight.** The Planning and Development
25 Department shall oversee the provision of Mobility Fee Credits and
26 the Mobility Fee calculation for the ten (10) year term. The Real
27 Estate Division of the Department of Public Works shall oversee the
28 real estate transaction pursuant to Chapter 122, Part 4, Subpart A,
29 *Ordinance Code*.

1 **Section 5. Effective Date.** This Ordinance shall become
2 effective upon the signature by the Mayor or upon becoming
3 effective without the Mayor's Signature.

4
5 Form Approved:

6
7 /s/ Susan C. Grandin

8 Office of General Counsel

9 Legislation Prepared by: Susan C. Grandin

10
11 GC-#1375260-v3-Rum_East_Mob_Fee_legis.doc