

LEGISLATIVE FACT SHEET

DATE: 06/14/21

BT or RC No: _____
(Administration & City Council Bills)

SPONSOR: Parks, Recreation and Community Services
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Jill Enz, Chief of Natural and Marine Resources

Provide Name: Jill Enz, Chief of Natural and Marine Resources

Contact Number: 255-7941

Email Address: Jenz@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words - Maximum of 1 page.)

In July 2006, Ordinance 2006-234 authorized the City to lease the Arboretum Lands to the Jacksonville Arboretum and Gardens, Inc. for a term of 20 years for the development and operation of a passive park, arboretum, and gardens. The lease was amended by Ordinance 2012-183 to increase the amount of property under the management of the Arboretum and to increase the amount of insurance coverage. The Board President of the Arboretum is now requesting an amended and restated lease agreement that will address two important needs: First, the amended and restated lease agreement would extend the lease by an additional 25 years beyond the current 4/30/26 expiration to a new date of 4/30/2051. This extension is needed for the Arboretum to be eligible to apply for most grants which require long-term site control and to attract donors who want to make sure that the Arboretum will be around for many years before gifting a significant donation. Second, the amended and restated lease agreement would provide additional language clarifying their ability to charge a reasonable admission fee to guests which will be used for the operations of the property. The amended and restated lease agreement will also include adjusted insurance coverage requirements that were identified by Risk Management.

APPROPRIATION: Total Amount Appropriated \$0.00 as follows:

List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____

Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of City of Jacksonville Fundin	From: _____	Amount: _____
	To: _____	Amount: _____

Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

No funding commitment. Legislation is for an amended and restated lease agreement for operation of the Jacksonville Arboretum and Gardens.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Justification of Emergency: If yes, explanation must include detailed nature of emergency. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Note: If yes, note must include explanation of all-year subfund carryover language. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted? <div style="border: 1px solid black; padding: 5px;">OGC has prepared the agreement which has been reviewed/approved by the Arboretum Executive Director and Board President. Parks, Recreation and Community Services Department (Brian Burket) will manage the lease agreement.</div>
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate RC/BT form(s).
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Related Enacted Ordinances?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

2006-234 and 2012-183

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for

Division Chief: 
(signature)

Date: 6/15/21

Prepared By: 
(signature)

Date: 6/15/21

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Jasmine Jordan, Budget Office, St. James Suite 325

Thru: Daryl Joseph, Director, Parks, Recreation and Community Services Department
(Name, Job Title, Department)

Phone: 255-7903

E-mail: DJoseph@coj.net

From: Daryl Joseph, Director, Parks, Recreation and Community Services Department
Initiating Department Representative (Name, Job Title, Department)

Phone: 255-7903

E-mail: DJoseph@coj.net

Primary Contact: Daryl Joseph, Director, Parks, Recreation and Community Services Department
(Name, Job Title, Department)

Phone: 255-7903

E-mail: DJoseph@coj.net

CC: Leeann Krieg, Director of Intergovernmental Affairs, Office of the Mayor

Phone: 255-5015

E-mail: Leeannk@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480
Phone: 904-630-4647 E-mail: psidman@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact: _____
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Leeann Krieg, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 904-255-5015 E-mail: Leeannk@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: **Yes** **No**
Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

Legislation

Jacksonville Arboretum and Gardens: Lease Extension

Whitepaper

June 14, 2021

Background

In July 2006, Ordinance 2006-234 authorized the City to lease the Arboretum Lands to the Jacksonville Arboretum and Gardens, Inc. for a term of 20 years for the development and operation of a passive park, arboretum, and gardens. The lease was amended by Ordinance 2012-183 to increase the amount of property under the management of the Arboretum and to increase the amount of insurance coverage. The Board President of the Arboretum is now requesting an amended and restated lease agreement that will address two important needs: First, the amended and restated lease agreement would extend the lease by an additional 25 years beyond the current 4/30/26 expiration to a new date of 4/30/2051. This extension is needed for the Arboretum to be eligible to apply for most grants which require long-term site control and to attract donors who want to make sure that the Arboretum will be around for many years before gifting a significant donation. Second, the amended and restated lease agreement would provide additional language clarifying their ability to charge a reasonable admission fee to guests which will be used for the operations of the property. The amended and restated lease agreement will also include adjusted insurance coverage requirements that were identified by Risk Management.

Recommended Action

PRCS respectfully requests execution of the proposed amended and restated agreement to the lease for the Arboretum Lands to the Jacksonville Arboretum and Gardens, Inc.