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ORDINANCE 2021-755

AN ORDINANCE APPROPRIATING \$100,000.00 FROM TRAIL RIDGE LANDFILL MITIGATION FUNDS TO PROVIDE FUNDING TO CECIL FIELD POW/MIA MEMORIAL, INC. FOR COSTS RELATED IMPROVEMENTS FOR A POW/MIA MEMORIAL AT CECIL COMMERCE CENTER, 6112 POW-MIA MEMORIAL PARKWAY, JACKSONVILLE, FLORIDA 32221; APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT THREE TO CECIL COMMERCE CENTER LEASE AGREEMENT TO SET FORTH PAYMENT BY CITY FOR SITE WORK OBLIGATED BY CECIL FIELD POW/MIA MEMORIAL, INC.; PROVIDING FOR OVERSIGHT BY THE OFFICE OF ECONOMIC DEVELOPMENT, DISBURSEMENT OF FUNDS AND CARRYOVER/REVERTER OF ANY UNSPENT FUNDS; INVOKING THE EXCEPTION OF 126.107(G) (EXEMPTIONS), PART 1 (GENERAL REGULATIONS), CHAPTER 126 (PROCUREMENT CODE), ORDINANCE CODE, TO ALLOW FOR PAYMENT TO CECIL FIELD POW/MIA MEMORIAL, INC. FOR WORK PERFORMED AND IMPROVEMENTS MADE TO THE POW/MIA MEMORIAL; WAIVING SECTION 110.112 (ADVANCE OF CITY FUNDS; PROHIBITION AGAINST), PART 1 (THE CITY TREASURY), CHAPTER 110 (CITY TREASURY), ORDINANCE CODE, TO ALLOW FOR ADVANCE PAYMENT BY THE CITY; PROVIDING AN EFFECTIVE DATE.

Section 1. Appropriation. For the 2021-2022 fiscal year, within the City's budget, there are hereby appropriated the indicated sum(s) from the account(s) listed in subsection (a) to the account(s) listed in subsection (b):

(The account information is attached hereto as **Exhibit 1**, and incorporated herein by this reference)

(a) Appropriated from:
 See attached Exhibit 1

\$100,000.00

(b) Appropriated to:

See attached **Exhibit 1**

\$100,000.00

(c) Explanation of Appropriation - The funding above is appropriating \$100,000 from Trail Ridge Landfill Mitigation funds for improvements to Cecil Commerce Center, particularly at property leased by Cecil Field POW/MIA Memorial, Inc. at 6112 POW-MIA Memorial Parkway, Jacksonville, Florida 32221, for improvements related to a POW/MIA Memorial.

Section 2. Purpose. The purpose of this appropriation is to provide funding from the Trail Ridge Landfill Mitigation Fund for improvements for a POW/MIA Memorial for property located at 6112 POW-MIA Memorial Parkway, Jacksonville, Florida 32221 and leased by the City of Jacksonville to Cecil Field POW/MIA Memorial, Inc. A copy of the quotation for installation and services is as identified in Exhibit 2, attached hereto.

Section 3. Approval and Authorization of Amendment Three to Cecil Commerce Center Lease Agreement. There is hereby approved, and the Mayor, or his designee, and the Corporation Secretary are hereby authorized, to execute and deliver, for and on behalf of the City, that certain Amendment Three to Cecil Commerce Center Lease Agreement (the "Agreement"), substantially in the form

as attached hereto as **Exhibit 2**, and incorporated by reference herein.

Section 4. Oversight/Carryover/Reverter. The Mayor is requested to appoint the Office of Economic Development to oversee the installation of the improvements by Cecil Field POW/MIA Memorial, Inc. The Office of Economic Development may allocate funding for any of the line items listed in Exhibit 2 in an amount more or less than the projected costs shown in Exhibit 2 so long as the total costs of the project do not exceed the appropriated amount of \$100,000.00. Any funds not utilized for the purposes set forth in this ordinance shall be returned to the fund of origin after September 30, 2022.

Section 5. Invoking the exception to Sec. 126.107(g), Ordinance Code. The City is hereby authorized to pay Cecil Field MIA/POW Memorial, Inc. for installation and improvements related to the Cecil Field POW/MIA Memorial, as described in Exhibit 2. Pursuant to Section 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement Code), Ordinance Code, such procurement is exempted from competitive solicitation because the supplies or services are to be provided by those specifically prescribed within authorizing legislation that appropriates the same. With the exception of the foregoing, all other provisions of Chapter 126, Ordinance Code, shall remain in full force and effect.

Section 6. Waiving Section 110.112, Ordinance Code. Section 110.112 (Advance of City funds; prohibition against), Part 1 (The City Treasury), Chapter 110 (City Treasury), Ordinance Code, is hereby waived to allow for the advance payment in the full amount of \$100,000 as described in the Agreement.

Section 7. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

1 Form Approved:
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3 /s/ Paige H. Johnston
4 Office of General Counsel
5 Legislation Prepared By: Paige Hobbs Johnston
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