

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-505**

5 AN ORDINANCE ADOPTING THE FISCAL YEARS 2025-2029
6 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"),
7 AS REQUIRED BY CHAPTER 122 (PUBLIC PROPERTY),
8 PART 6 (CAPITAL IMPROVEMENT PLAN), *ORDINANCE*
9 *CODE*; PROVIDING FOR 2025 CIP SPECIFICITY
10 REQUIREMENTS; DIRECTING REVISIONS AND UPDATING
11 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE *2045*
12 *COMPREHENSIVE PLAN*, AS REQUIRED BY SECTION
13 163.3177, *FLORIDA STATUTES*; WAIVING APPLICABLE
14 PROVISIONS OF SECTION 122.602 (DEFINITIONS),
15 PART 6 (CAPITAL IMPROVEMENT PLAN), CHAPTER 122
16 (PUBLIC PROPERTY), *ORDINANCE CODE*, TO ALLOW
17 ROADWAY RESURFACING TO BE INCLUDED IN THE LIST
18 OF CAPITAL IMPROVEMENT PROJECTS FOR THE
19 2024-2025 FISCAL YEAR; PROVIDING FOR DECLARATION
20 OF INTENT TO REIMBURSE; WAIVING COMPLIANCE WITH
21 SECTION 106.309 (CAPITAL IMPROVEMENT
22 APPROPRIATIONS CARRIED OVER) AND SECTION 106.312
23 (LAPSE OF APPROPRIATIONS), SUBPART A (GENERAL
24 PROVISIONS), PART 3 (APPROPRIATIONS), CHAPTER
25 106 (BUDGET AND ACCOUNTING CODE), *ORDINANCE*
26 *CODE*, TO AUTHORIZE SUBMITTAL OF THE CAPITAL
27 IMPROVEMENT PLAN LEGISLATION WITHOUT THE CAPITAL
28 IMPROVEMENTS PROJECTS NOT LAPSED EXHIBIT;
29 PROVIDING FOR RECONCILIATION OF SCHEDULES, TEXT,
30 CODIFICATION, JOURNAL ENTRIES; PROVIDING AN
31 EFFECTIVE DATE.

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2 **WHEREAS**, pursuant to Chapter 122 (Public Property), Part 6
3 (Capital Improvement Plan), *Ordinance Code*, the Department of Finance
4 and Administration, the Department of Planning and Development, and
5 the Department of Public Works have met with all departments, agencies
6 and commissions of the City to develop, and have developed, a Capital
7 Improvement Plan ("CIP") for fiscal years 2025-2029 inclusive; and

8 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*,
9 the Council adopted the *2045 Comprehensive Plan*, which contains
10 numerous elements required by Section 163.3177, *Florida Statutes*,
11 including a Capital Improvements Element designed to consider the
12 need for and location of public facilities in order to encourage
13 efficient utilization of such facilities and setting forth estimated
14 public facility costs, including a delineation of when public
15 facilities will be needed, the general location of the facilities and
16 projected revenue sources to fund the facilities; and

17 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires local
18 governments to establish a Capital Improvements Element and that a
19 CIP be prepared in conjunction with the annual review and update of
20 the Capital Improvements Element, and further requires that the CIP
21 contain all of the projects listed in the Schedule of Capital
22 Improvements, which is a part of the Capital Improvements Element;
23 and

24 **WHEREAS**, the Council has reviewed the CIP and the Capital
25 Improvements Element; now therefore

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

27 **Section 1. Fiscal Years 2025-2029 Capital Improvement Plan**
28 **Adopted.** The fiscal years 2025-2029 Capital Improvement Plan,
29 including a Schedule of Capital Improvements, attached hereto as
30 **Exhibit 1** and incorporated herein by this reference, are hereby
31 adopted for the City and its independent agencies for the 2024-2025

1 Fiscal Year. There shall be included in the annual budgets of the
2 City and its independent agencies sufficient appropriations to
3 implement the first year of the plan. By October 25, 2024, or one
4 month after the enacted date of this legislation, whichever is later,
5 the Department of Finance shall provide the Fiscal Years 2025-2029
6 revised adopted Capital Improvement Plan inclusive of the detailed
7 description of the scope of each project included therein to all
8 Council Members with a copy to Legislative Services to be placed in
9 the file.

10 **Section 2. 2025 Capital Improvement Plan Specificity**
11 **Requirements.** Notwithstanding anything herein, no funds shall be
12 expended on a Capital Improvement Project (as defined by Section
13 122.602(a), *Ordinance Code*), which may have been line-item approved
14 in a Capital Improvement Plan, without specific reference to precise
15 locations of work, narrowly defined project costs, or narrowly defined
16 work descriptions, unless and until such expenditures and an amendment
17 to the Capital Improvement Plan identifying precise locations of
18 work, narrowly defined project costs, and narrowly defined work
19 descriptions are separately approved by the City Council.

20 **Section 3. Capital Improvements Element of the 2045**
21 **Comprehensive Plan Revised and Updated.** The Capital Improvements
22 Element of the *2045 Comprehensive Plan* shall be revised to reflect
23 the Schedule of Capital Improvements adopted hereinabove as part of
24 the CIP in the next available update of the *2045 Comprehensive Plan*,
25 in accordance with Section 163.3177, *Florida Statutes*.

26 **Section 4. Waiver of Applicable Provisions of Section**
27 **122.602 (Definitions), Ordinance Code.** The conflicting provisions
28 of Section 122.602 (Definitions), Part 6 (Capital Improvement Plan),
29 Chapter 122 (Public Property), *Ordinance Code*, which excludes routine
30 roadway resurfacing from the definition of "Capital Improvement
31 Project" are hereby waived to allow roadway resurfacing to be included

1 in the list of Capital Improvement Projects for the 2024-2025 Fiscal
2 Year.

3 **Section 5. Declaration of Intent to Reimburse.** The City of
4 Jacksonville expects to incur expenses for which the City will advance
5 internal funds in order to fund the construction, acquisition,
6 improvement, and equipping of certain capital improvements more
7 specifically described on **Exhibit 1** (the "FY 24-25 Projects"). The
8 City intends to reimburse itself for all or a portion of such expenses
9 from the proceeds of debt to be incurred by the City. The City of
10 Jacksonville hereby declares its official intent to reimburse itself
11 from the proceeds of debt to be incurred by the City for expenses
12 incurred with respect to the FY 24-25 Projects subsequent to the date
13 of this Ordinance.

14 This Ordinance is intended as a declaration of official intent
15 under Treasury Regulation Section 1.150-2. The debt to be issued to
16 finance the FY 24-25 Projects is expected not to exceed an aggregate
17 principal amount of \$221,368,345 net project funds. The Mayor, the
18 Corporation Secretary, the Chief Financial Officer, the General
19 Counsel and such other officers and employees of the City as may be
20 designated by the Mayor are authorized and empowered, collectively
21 and individually, to take all action and steps and to execute all
22 instruments, documents and contracts on behalf of the City that are
23 necessary to carry out the purposes of this Ordinance.

24 **Section 6. Waiver of Compliance with Section 106.309**
25 **(Capital improvement appropriations carried over) and Section 106.312**
26 **(Lapse of appropriations), Ordinance Code.** In accordance with
27 Sections 106.309 and 106.312, Subpart A (General Provisions), Part 3
28 (Appropriations), Chapter 106 (Budget and Accounting Code), *Ordinance*
29 *Code*, the Budget Office is required to provide a list of Capital
30 Improvement Projects Not Lapsed which itemizes the budget,
31 encumbrances and remaining balances from prior years' appropriations.

1 Due to changes in the software the City uses to provide this
2 information, the required list is not able to be produced at this
3 time as it would require the Budget Office to manually compile the
4 various sources of information to create such a list. The proposed
5 City budget, Ordinance 2024-504, has been prepared as though
6 anticipated capital improvement appropriations are carried over from
7 last fiscal year and not lapsing. The provisions of Sections 106.309
8 and 106.312, *Ordinance Code*, are hereby waived to authorize submittal
9 of the Capital Improvement Plan legislation without the Capital
10 Improvements Projects Not Lapsed exhibit.

11 **Section 7. Reconciliation of Schedules, Text,**
12 **Codification, Journal Entries, etc.** The Office of General Counsel
13 and the Council Auditor's Office are authorized to make all changes
14 to titles, tables of content, Ordinance Code provisions, journal
15 entries, schedules, and attachments, including editorial and text
16 changes consistent with the changes set forth herein to effectuate
17 the Council's action.

18 **Section 8. Effective Date.** This Ordinance shall become
19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

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22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Mary E. Staffopoulos

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