

NCSPHS AMENDMENT

The Neighborhoods, Community Services, Public Health and Safety Committee offers the following amendment to File No. 2023-351:

- (1) On **page 1, lines 27-30, strike** "PROVIDING FOR WAIVER OF SECTION 122.424(a) (1) (DISPOSITION BY DIRECT SALE, ADJOINING OWNERS), ORDINANCE CODE, AS TO THE NOTICE REQUIREMENTS;" and **insert** "PROVIDING FOR WAIVER OF SECTION 122.422 (DETERMINATION OF NEED; DECLARATION THAT PROPERTY IS SURPLUS TO THE NEEDS OF THE PUBLIC), *ORDINANCE CODE*, AS TO DECLARING THE PROPERTY SURPLUS; PROVIDING FOR WAIVER OF SECTION 122.421(B) (GENERAL PROVISIONS; DELEGATION OF AUTHORITY), *ORDINANCE CODE*, AS TO REPLACING PROPERTY WITH SIMILAR PARK LAND; APPROPRIATING \$375,000.00 FROM THE REED ISLAND CONSTRUCTION PHASE FLORIDA INLAND NAVIGATION DISTRICT (FIND) GRANT PROJECT TO FUND A SHORTFALL IN THE REED ISLAND DESIGN PHASE FIND GRANT PROJECT (\$39,681.59) AND TO FUND THE JOE CARLUCCI BOAT RAMP FISHING PIER PROJECT (\$335,318.41); AMENDING THE 2023-2027 FIVE-YEAR CAPITAL IMPROVEMENT PLAN APPROVED BY ORDINANCE 2022-505-E TO REDUCE FUNDING FOR THE REED ISLAND FIND GRANT PROJECTS AND TO INCREASE FUNDING FOR THE JOE CARLUCCI BOAT RAMP FISHING PIER PROJECT;";
- (2) On **page 2, line 11, strike** "Exhibit 1, labeled as "Exhibit 1"" and **insert** "Revised Exhibit 1, labeled as "Revised Exhibit 1, Rev Agmt, June 20, 2023 - NCSPHS"";
- (3) On **page 3, lines 12-22, strike** Section 2 in its entirety and **insert** a new Section 2, Section 3, Section 4, Section 5, and Section 6, to read as follows:

"Section 2. Waiver of Section 122.422 (Determination

of need; declaration that property is surplus to the needs of the public), *Ordinance Code*. Section 122.422 (Determination of need; declaration that property is surplus to the needs of the public), Chapter 122 (Public Property), *Ordinance Code*, is hereby waived as to the process of declaring the property surplus to the needs of the City by circulating the property to each City agency to determine whether there is a need.

Section 3. Waiver of Section 122.421(b) (General provisions; delegation of authority), *Ordinance Code*. Section 122.421(b) (General provisions; delegation of authority), Chapter 122 (Public Property), *Ordinance Code*, is hereby waived as to allow for sale of the City park to Harbour without the City replacing the park land with new park land of equal or greater size and value.

Section 4. Appropriation. For the 2022-2023 fiscal year, within the City's budget, there is hereby appropriated the indicated sum from the account listed in subsection (a) to the account listed in subsection (b):
(The account information is attached hereto as **Exhibit 3** and incorporated herein by this reference)

(a) Appropriated from:

See **Exhibit 3** \$375,000.00

(b) Appropriated from:

See **Exhibit 3** \$375,000.00

(c) Explanation of Appropriation:

The funding above represents: a) a deappropriation of \$750,000.00 from the Florida Inland Navigation District (FIND) Reed Island construction phase

project, consisting of a City match of \$375,000.00 and FIND grant funding of \$375,000.00, b) a deappropriation of \$100,000.00 in the FIND Reed Island design phase project construction account and an appropriation of \$39,681.59 to the FIND Reed Island design phase project City match account (for a net deappropriation of \$60,318.41 within the design phase project), and c) an appropriation of \$335,318.41 to the Joe Carlucci Boat Ramp Fishing Pier project all as further detailed in Section 5 below.

Section 5. Purpose. The purpose of the appropriation in Section 4 is to reallocate unused City matching dollars that were previously budgeted for the FIND Reed Island construction phase project to: a) cover the shortfall in the FIND Reed Island design phase project, and b) appropriate funding for the Joe Carlucci Boat Ramp Fishing Pier project. The City previously approved and appropriated funding for both the design and construction phases of the FIND Reed Island project. As a result of the conveyance of the Property to Harbour, the City will not be eligible to seek reimbursement from FIND for expenditures already incurred for the design phase of that project and the City will not be commencing the construction phase of the project for which no expenditures have been incurred. The City has incurred expenditures for the design phase of the project in excess of the City matching dollars appropriated for that phase, leaving a funding shortfall of \$39,681.59 in the design phase project. However, as a result of not commencing the construction phase of the project, there

exists unused City matching funds of \$450,000.00. This legislation reallocates a portion of the unused City matching funds of the construction phase project (\$375,000.00) to: a) increase the City match for the design phase project (\$39,681.59) in order to cover the funding shortfall within that phase and b) appropriate \$335,318.41 for the Joe Carlucci Boat Ramp Fishing Pier project. Additionally, as part of the appropriation in Section 4, the expenditure budget for the design phase project is being reduced by \$60,318.41 to close out the project and the expenditure budget for the construction phase project is being reduced by \$750,000.00. The remaining balance of \$75,000.00 within the construction phase project has been identified for a future planned appropriation.

Section 6. Capital Improvement Plan Amendment.

Ordinance 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan (the "CIP") for the City and certain of its independent agencies, is hereby amended to reduce funding for the projects entitled FIND - Reed Island Dock & Dev Design (design phase) and FIND Reed Island - PRC14619 (construction phase), and increase funding for the Joe Carlucci Boat Ramp Fishing Pier project as more fully described in the Project Information Sheets attached hereto as **Exhibit 4** and incorporated herein by this reference. The City Council finds that the deferral of this amendment of the CIP until the next annual budget and CIP review will unnecessarily delay the improvements at the Joe Carlucci Boat Ramp at Sisters Creek which will enhance public fishing access at this waterfront park and alleviate conflicts between boaters and fishermen.

Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this Ordinance requires the affirmative vote of two-thirds of the City Council members present at the meeting because of the CIP amendment set forth in this section. This Ordinance shall constitute an amendment to Ordinance 2022-505-E. In all other respects, the Five-Year Capital Improvement Plan approved by Ordinance 2022-505-E shall remain unchanged and continue in full force and effect."

- (4) Renumber remaining Sections accordingly;
- (5) On **page 4, line 20**, strike "Section 5" and insert "Section 9";
- (6) Remove **Exhibit 1** and replace with **Revised Exhibit 1**, attached hereto, which attaches the revised Agreement for Sale and Purchase to make technical corrections;
- (7) Attach **Exhibit 3**, attached hereto, which attaches the B.T. to reflect the reallocation of unused City match funding from the Reed Island construction phase FIND Grant project to cover a shortfall in the Reed Island design phase project and to appropriate funding for the Joe Carlucci Boat Ramp Fishing Pier project;
- (8) Attach **Exhibit 4**, attached hereto, which attaches the CIP Project Information Sheets to reflect the reallocation of unused City match funding from the Reed Island construction phase FIND Grant project to cover a shortfall in the Reed Island design phase project and to appropriate funding for the Joe Carlucci Boat Ramp Fishing Pier project;
- (9) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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