

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2025-194**

5 AN ORDINANCE APPROPRIATING \$3,500,000 OF
6 PREVIOUSLY APPROPRIATED BUT LAPSED FUNDS FOR THE
7 FULTON CUT CROSSING POWERLINES PROJECT AND
8 RECLASSIFYING \$17,500,000 OF PREVIOUSLY
9 AUTHORIZED FUNDS, AS INITIATED BY B.T. 25-058;
10 PROVIDING FOR CARRYOVER OF FUNDS TO FISCAL YEAR
11 2026/2027; AUTHORIZING A \$34,500,000 GRANT
12 ("CITY GRANT") TO THE JACKSONVILLE PORT
13 AUTHORITY ("JAXPORT"), COMPRISED OF \$27,500,000
14 OF FUNDING PREVIOUSLY AUTHORIZED, AND THE
15 APPLICATION OF \$7,000,000 OF COST SAVINGS FROM
16 THE JAXPORT DREDGE PROJECT AUTHORIZED BY
17 ORDINANCE 2020-377-E, TO SUPPORT THE RAISING OF
18 THE FULTON CUT CROSSING ELECTRIC TRANSMISSION
19 LINES, TO INCREASE THE NUMBER AND CAPACITY OF
20 VESSELS ABLE TO CALL ON JAXPORT PORTS; AMENDING
21 2024-504-E, THE FY 2024-2025 BUDGET ORDINANCE,
22 TO REPLACE THE REVISED SCHEDULE B4 TO CLARIFY
23 AND PARTIALLY CONSOLIDATE THE "FULTON CUT
24 CROSSING POWERLINES" AND "JAXPORT DREDGING
25 (2020-377-E)" PROJECTS; AUTHORIZING THE CITY TO
26 ENTER INTO AN AGREEMENT WITH JAXPORT AND JEA TO
27 PROVIDE THE GRANT AS FURTHER DETAILED THEREIN;
28 REQUESTING THAT THE FINANCE DEPARTMENT
29 ADMINISTER THE AGREEMENT AUTHORIZED HEREIN;
30 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
31 PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, as authorized by Ordinance 2022-874-E, the City and the
2 Jacksonville Port Authority ("JAXPORT") have previously entered into
3 that certain Fulton Cut Powerlines Raising Project Funding Agreement
4 dated March 27, 2023 (the "Existing Agreement") to provide partial
5 funding to raise the Fulton Cut Powerlines that cross the St. Johns
6 River to increase the number and capacity of vessels able to call on
7 JAXPORT's ports (the "Project"); and

8 **WHEREAS**, pursuant to the Existing Agreement, the City has
9 authorized matching funding for the Project in the amount of
10 \$27,500,000, comprised of: (i) a loan to JAXPORT in the amount of
11 \$12,500,000; (ii) a grant to JAXPORT in the amount of \$10,000,000,
12 and (iii) a \$5,000,000 revolving line of credit; and

13 **WHEREAS**, since the enactment of 2022-874-E, the costs of the
14 Project have risen to \$117,000,000, inclusive of contingency amounts;
15 and

16 **WHEREAS**, JAXPORT and the City have agreed to terminate the
17 Existing Agreement and JAXPORT, JEA and the City have agreed to enter
18 into a new agreement in substantially the form placed **On File** with
19 the Legislative Services Division ("Agreement"), to provide a
20 \$34,500,000 City Grant (the "City Grant") for the Project, \$27,500,000
21 of which is funding previously authorized (\$5,000,000 of which is a
22 contingency amount in the event of cost overruns), and \$7,000,000 of
23 which is through the application of cost savings realized from the
24 JaxPort Dredging Project, for which funding was previously
25 appropriated to JAXPORT pursuant to 2020-377-E; and

26 **WHEREAS**, pursuant to the Agreement, JEA shall provide
27 \$32,500,000 to the Project, JAXPORT shall provide \$32,500,000 to the
28 Project, and the City shall provide the City Grant, and by separate
29 agreement the FDOT is funding \$22,500,000 of the Project costs, with
30 City funding to be disbursed substantially in accordance with the
31 funding schedule as set forth on Exhibit B attached to the Agreement

1 authorized hereby; and

2 **WHEREAS**, on February 24, 2025, JAXPORT approved its resolution
3 to enter into the Agreement, and on February 25, 2025, JEA approved
4 its resolution to enter into the Agreement, with said resolutions
5 being attached hereto as **Exhibits 1** and **2**, respectively; and

6 **WHEREAS**, the Project is in the public interest and will provide
7 significant economic benefits to the City and its residents by
8 providing increased economic activity and high salary jobs in the
9 City of Jacksonville and thus constitutes a valid governmental
10 undertaking of the City; now therefore

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

12 **Section 1. Findings.** It is hereby ascertained, determined,
13 found and declared as follows:

14 (a) The recitals set forth herein are true and correct.

15 (b) The Project will promote and further the public and
16 municipal purposes of the City.

17 (c) Enhancement of the City's tax base and revenues are matters
18 of State and City policy and State and City concern in order that the
19 State and its counties and municipalities, including the City, shall
20 not continue to be endangered by unemployment, underemployment,
21 economic recession, poverty, crime and disease, and consume an
22 excessive proportion of the State and City revenues because of the
23 extra services required for police, fire, accident, health care,
24 elderly care, charity care, hospitalization, public housing and
25 housing assistance, and other forms of public protection, services
26 and facilities.

27 (d) The provision of the City's assistance as identified in
28 the Agreement is necessary and appropriate to make the Project
29 feasible; and the City's assistance is reasonable and not excessive,
30 taking into account the extent of the public benefits expected to be
31 derived from the Project, and taking into account all other forms of

1 assistance available.

2 (e) JEA and its contractors, on behalf of JAXPORT, are
3 qualified to carry out and complete the construction and equipping
4 of the Project.

5 (f) The authorizations provided by this Ordinance are for
6 public uses and purposes for which the City may use its powers as a
7 county, municipality and as a political subdivision of the State of
8 Florida and may expend public funds, and the necessity in the public
9 interest for the provisions herein enacted is hereby declared as a
10 matter of legislative determination.

11 (g) This Ordinance is adopted pursuant to the provisions of
12 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
13 Charter, and other applicable provisions of law.

14 **Section 2. Appropriation.** For the 2024-2025 fiscal year,
15 within the City's budget, there are hereby appropriated the indicated
16 sum(s) from the account(s) listed in subsection (a) to the account(s)
17 listed in subsection (b): (B.T. 25-058 attached hereto as **Exhibit 3**
18 and incorporated herein by this reference):

19 (a) Appropriated from:

20 See B.T. 25-058 \$21,000,000

21 (b) Appropriated to:

22 See B.T. 25-058 \$21,000,000

23 (c) **Explanation of Appropriation**

24 The funding above appropriates \$3,500,000 of funding
25 previously appropriated to the Project but lapsed, and
26 reclassifies \$17,500,000 of previously appropriated City
27 funding from a loan to a City grant to JAXPORT.

28 **Section 3. Purpose.** The purpose of the appropriation in
29 Section 2 is to appropriate \$3,500,000 of funding previously
30 appropriated to the Project that lapsed, and to reclassify \$17,500,000
31 of funds previously appropriated to the Project from a loan to a City

1 grant for the Project.

2 **Section 4. Carryover.** The funds previously appropriated to
3 the Project and appropriated pursuant to the Agreement (now or in the
4 future) authorized hereby shall not lapse but shall carryover to
5 fiscal year 2026-2027.

6 **Section 5. Amending 2024-504-E, the FY 2024-2025 Budget**
7 **Ordinance, to replace the Revised Schedule B4 to clarify and partially**
8 **consolidate the JaxPort Dredging project and the Fulton Cut Crossing**
9 **Powerlines projects.** 2024-504-E, the FY 2024-2025 Budget Ordinance,
10 is hereby amended to remove the Revised Schedule B4, entitled "FY 24-
11 25 Debt Management Fund Detail," in order to consolidate the Projects
12 entitled "Fulton Cut Crossing Powerlines - JPA Credit Line (2022-
13 874)," "Fulton Cut Crossing Powerlines - JPA Grant (2022-874)", and
14 "Fulton Cut Crossing Powerlines - JPA Loan (2022-874)" and to clarify
15 the name of the "JaxPort Dredging (2020-377-E)" to reflect that a
16 portion of funding is going to Fulton Cut Crossing Powerlines as set
17 forth herein. The Second Revised Schedule B4 is attached hereto as
18 **Exhibit 4.**

19 **Section 6. Authorizing the City to enter into an Agreement**
20 **with the Jacksonville Port Authority and JEA and authorizing**
21 **Amendments to the Agreement.** The City is hereby authorized to enter
22 into an Agreement with the Jacksonville Port Authority and JEA
23 ("Agreement") substantially in the form placed **On File** with the
24 Legislative Services Division, for the purposes of providing the City
25 Grant to Jaxport to partially fund the Project. The Mayor, or her
26 designee, and the Corporation Secretary are authorized to
27 subsequently enter into amendments to the Agreement to reflect
28 additional appropriations to the Agreement made by JAXPORT and/or
29 JEA, or to increase the maximum indebtedness of the City under the
30 Agreement as a result of an appropriation of additional City funds
31 therefor by City Council.

1 **Section 7. Oversight Department.** The Finance Department
2 shall provide oversight for the Agreement authorized herein.

3 **Section 8. Requesting One Cycle Emergency Passage Pursuant**
4 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
5 legislation is requested. The nature of the emergency is that the
6 guaranteed maximum price of the contract for the Project expires on
7 April 3, 2025 and subjects the parties to the Agreement to higher
8 costs as contractors reprice their bids.

9 **Section 9. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ John Sawyer_____

16 Office of General Counsel

17 Legislation prepared by: John Sawyer

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