

1 Introduced by the Council President at the request of the Mayor:

4 **ORDINANCE 2019-E**

5 AN ORDINANCE APPROPRIATING \$4,084,269.00 FROM  
6 THE ENVIRONMENTAL COMPLIANCE - COUNTYWIDE  
7 ACCOUNT TO THE CONFEDERATE PARK - MGP WASTE  
8 REMEDIATION ACCOUNT TO FUND ACTIVITIES  
9 INVOLVED IN THE CLEANUP OF MANUFACTURED GAS  
10 PLANT WASTE REQUIRED BY THE BROWNFIELD SITE  
11 REHABILITATION AGREEMENT APPROVED BY ORDINANCE  
12 2018-542-E, AS INITIATED BY B.T. 19-110;  
13 AMENDING THE 2019-2023 FIVE-YEAR CAPITAL  
14 IMPROVEMENT PROGRAM APPROVED BY ORDINANCE  
15 2018-505-E TO REDUCE FUNDING FOR THE PROJECT  
16 ENTITLED "ENVIRONMENTAL COMPLIANCE -  
17 COUNTYWIDE" AND PROVIDE FUNDING FOR THE  
18 PROJECT ENTITLED "MGP WASTE REMEDIATION";  
19 PROVIDING AN EFFECTIVE DATE.

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

22 **Section 1. Appropriation.** For the 2018-2019 fiscal year,  
23 within the City's budget, there are hereby appropriated the  
24 indicated sum(s) from the account(s) listed in subsection (a) to  
25 the account(s) listed in subsection (b):

26 (See B.T. 19-110 attached hereto as **Exhibit 1** and incorporated  
27 herein by this reference)

28 (a) Appropriated from:

29 See B.T. 19-110 \$4,084,269.00

30 (b) Appropriated to:

31 See B.T. 19-110 \$4,084,269.00

1 (c) Explanation of appropriation

2 The funding above is a transfer of funds from the  
3 Environmental Compliance - Countywide Account to the  
4 Confederate Park - MGP Waste Remediation Account to fund  
5 activities involved in the cleanup of manufactured gas  
6 plant waste required by the Brownfield Site  
7 Rehabilitation Agreement between and among the Florida  
8 Department of Environmental Protection (FDEP), the City  
9 of Jacksonville, Southport Financial Real Estate, LLC,  
10 Jacksonville Hospitality Holdings, L.P., and Shoppes of  
11 Lakeside, Inc. (BSRA).

12 **Section 2. Purpose.** The purpose of the appropriation in  
13 Section 1 is to provide funding for remediation and cleanup of  
14 manufactured gas plant waste located under Hogan's Creek,  
15 Confederate Park, Orange Street, the former E. H. Thompson  
16 Building, and Ocean Street, required by the BSRA approved by  
17 Ordinance 2018-542-E. Funding will be needed until project  
18 completion. However, since the remedial action has not been  
19 prepared for FDEP review and approval, the project's completion and  
20 maintenance costs cannot be determined at this time.

21 **Section 3. CIP Amendment.** Ordinance 2018-505-E, being the  
22 2019-2023 Five-Year Capital Improvement Program for the City and  
23 certain of its independent agencies, is hereby amended to reduce  
24 funding for the project entitled "Environmental Compliance -  
25 Countywide" and provide funding for the project entitled "MGP Waste  
26 Remediation." The projects are more fully described in the Project  
27 Information Sheets, attached hereto as **Exhibit 2** and incorporated  
28 herein by this reference. The Council finds that the deferral of  
29 this amendment of the CIP until the next annual budget and CIP  
30 review will be detrimental to the best interests of the community  
31 because such deferral will not be in accordance with the time

1 frames for delivery of required work items listed in the BSRA.  
2 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this  
3 ordinance requires the affirmative vote of two-thirds of the  
4 Council members present at the meeting because of the CIP amendment  
5 set forth in this section. This ordinance shall constitute an  
6 amendment to Ordinance 2018-505-E. In all other respects, the  
7 Five-Year Capital Improvement Program approved by Ordinance 2018-  
8 505-E shall continue in full force and effect.

9 **Section 4. Effective Date.** This ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

12  
13 Form Approved:

14  
15 /s/ Paige H. Johnston

16 Office of General Counsel

17 Legislation prepared by: James R. McCain, Jr.

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