

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2023-873-E**

5 AN ORDINANCE AUTHORIZING THE MAYOR, OR HER
6 DESIGNEE, AND CORPORATION SECRETARY TO EXECUTE
7 AND DELIVER A THIRD AMENDMENT ("AMENDMENT") TO
8 THE INTERAGENCY AGREEMENT BETWEEN THE CITY OF
9 JACKSONVILLE AND JEA DATED MARCH 22, 2016;
10 REQUESTING EMERGENCY PASSAGE UPON INTRODUCTION;
11 PROVIDING AN EFFECTIVE DATE.
12

13 **WHEREAS**, the City and JEA have previously entered into that
14 certain Interagency Agreement dated March 22, 2016, as authorized by
15 2015-764-E, as amended by that certain First Amendment to Interagency
16 Agreement dated February 28, 2019, as authorized by 2018-747-E, as
17 amended by that certain Second Amendment to Interagency Agreement
18 dated August 18, 2022, as authorized by 2021-118-E (collectively, the
19 "Agreement"), to provide funding in part for City water and sewer
20 projects as set forth in the Agreement and as codified in Chapter
21 751, *Ordinance Code*; and

22 **WHEREAS**, the City and JEA desire to amend the Agreement to extend
23 the term of the Agreement to December 31, 2024 and to enable JEA to
24 provide additional nutrient credits to City to facilitate compliance
25 with Florida Department of Environmental ("FDEP") requirements; now
26 therefore

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

28 **Section 1. Recitals.** The recitals above are true and
29 correct and incorporated herein by reference.

30 **Section 2. Third Amendment to Interagency Agreement**
31 **approved and execution authorized.** The Third Amendment to the March

1 22, 2016 Interagency Agreement by and between the City of Jacksonville
2 and JEA (the "Amendment") sets forth the collective understanding and
3 agreement of the City and JEA to extend the term of the Agreement
4 from September 30, 2023 to December 31, 2024, and to enable JEA to
5 provide additional nutrient credits to City to facilitate City's
6 compliance with the FDEP's Lower St. John's River Basin Management
7 Action Plan ("BMAP"). The Mayor, or her designee, and the Corporation
8 Secretary are hereby authorized to execute and deliver, for and on
9 behalf of the City, the Amendment, in substantially the form as
10 attached hereto as **Exhibit 1** and incorporated herein by this
11 reference.

12 **Section 3. Requesting Emergency Passage Upon Introduction**
13 **21 pursuant to Council Rule 4.901.** The terms of the BMAP require the
14 City to have 106.9 Metric Tons of nutrient credit in place prior to
15 December 31, 2023 for the reduction of nitrogen discharged into the
16 river. Emergency passage upon introduction of this ordinance is
17 requested to enable the City to meet this December 31, 2023 deadline.

18 **Section 4. Effective Date.** This Ordinance shall
19 become effective upon signature by the Mayor or upon becoming
20 effective without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ Harry M. Wilson, IV

25 Office of General Counsel

26 Legislation Prepared by: Harry M. Wilson, IV

27 GC-#1602054-v1-JEA_COJ_Interagency_Agreement_2023.docx