

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Finance Committee:

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5 **ORDINANCE 2022-505-E**

6 AN ORDINANCE ADOPTING THE FISCAL YEARS 2023-2027  
7 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"), AS  
8 REQUIRED BY PART 6, CHAPTER 122, *ORDINANCE CODE*;  
9 PROVIDING FOR 2023 CIP SPECIFICITY REQUIREMENTS;  
10 DIRECTING REVISIONS AND UPDATING OF THE CAPITAL  
11 IMPROVEMENTS ELEMENT OF THE 2030 COMPREHENSIVE  
12 PLAN, AS REQUIRED BY SECTION 163.3177, *FLORIDA*  
13 *STATUTES*; WAIVING SECTION 122.602(A)  
14 (DEFINITIONS), *ORDINANCE CODE*; WAIVING COMPLIANCE  
15 WITH SECTION 106.309 (CAPITAL IMPROVEMENT  
16 APPROPRIATIONS CARRIED OVER) AND SECTION 106.312  
17 (LAPSE OF APPROPRIATIONS), *ORDINANCE CODE*;  
18 PROVIDING FOR DECLARATION OF INTENT TO REIMBURSE;  
19 PROVIDING FOR RECONCILIATION OF SCHEDULES, TEXT,  
20 CODIFICATION, JOURNAL ENTRIES; PROVIDING AN  
21 EFFECTIVE DATE.

22  
23 **WHEREAS**, pursuant to Part 6, Chapter 122, *Ordinance Code*, the  
24 Department of Finance and Administration, the Department of Planning  
25 and Development, and the Department of Public Works have met with all  
26 departments, agencies and commissions of the City to develop, and  
27 have developed, a Capital Improvement Plan ("CIP") for fiscal years  
28 2023-2027 inclusive; and

29 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*, the  
30 Council adopted the 2030 Comprehensive Plan, which contains numerous  
31 elements required by Section 163.3177, *Florida Statutes*, including a

1 Capital Improvements Element designed to consider the need for and  
2 location of public facilities in order to encourage efficient  
3 utilization of such facilities and setting forth estimated public  
4 facility costs, including a delineation of when public facilities  
5 will be needed, the general location of the facilities and projected  
6 revenue sources to fund the facilities; and

7 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires local  
8 governments to establish a Capital Improvements Element and that a  
9 CIP be prepared in conjunction with the annual review and update of  
10 the Capital Improvements Element, and further requires that the CIP  
11 contain all of the projects listed in the Schedule of Capital  
12 Improvements, which is a part of the Capital Improvements Element;  
13 and

14 **WHEREAS**, the Council has reviewed the CIP and the Capital  
15 Improvements Element; now, therefore

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

17 **Section 1. Fiscal Years 2023-2027 Capital Improvement Plan**  
18 **Adopted.** The fiscal years 2023-2027 Capital Improvement Plan,  
19 including a Schedule of Capital Improvements, attached hereto as  
20 **Revised Exhibit 1**, labeled as "Revised Exhibit 1, Rev 5-year CIP,  
21 September 20, 2022 - Finance" and incorporated herein by this  
22 reference, are hereby adopted for the City and its independent  
23 agencies for the 2022-2023 fiscal year. There shall be included in  
24 the annual budgets of the City and its independent agencies sufficient  
25 appropriations to implement the first year of the plan. By October  
26 28, 2022 or one month after the enacted date of this legislation,  
27 whichever is later, the Department of Finance and Administration  
28 shall provide the Fiscal Years 2023-2027 revised adopted Capital  
29 Improvement Plan inclusive of the detailed description of the scope  
30 of each project included therein to all Council Members with a copy  
31 to Legislative Services to be placed in the file.

1           **Section 2.           2023 Capital Improvement Plan Specificity**  
2 **Requirements.** Notwithstanding anything herein, no funds shall be  
3 expended on a Capital Improvement Project (as defined by Section  
4 122.602(a), *Ordinance Code*), which may have been line-item approved  
5 in a Capital Improvement Plan, without specific reference to precise  
6 locations of work, narrowly defined project costs, or narrowly defined  
7 work descriptions, unless and until such expenditures and an amendment  
8 to the Capital Improvement Plan identifying precise locations of  
9 work, narrowly defined project costs, and narrowly defined work  
10 descriptions are separately approved by City Council.

11           **Section 3.           Capital Improvements Element of the 2030**  
12 **Comprehensive Plan Revised and Updated.** The Capital Improvements  
13 Element of the 2030 Comprehensive Plan shall be revised to reflect  
14 the Schedule of Capital Improvements adopted hereinabove as part of  
15 the CIP in the next available update of the 2030 Comprehensive Plan,  
16 in accordance with Section 163.3177, *Florida Statutes*.

17           **Section 4.           Waiver of Section 122.602(a) (Definitions),**  
18 **Ordinance Code.** Waiving conflicting provisions of Section 122.602(a)  
19 (Definitions), *Ordinance Code*, which excludes routine roadway  
20 resurfacing from the definition of Capital Improvement Projects to  
21 allow roadway resurfacing to be included in the list of Capital  
22 Improvement Projects for the 2022-2023 Fiscal Year.

23           **Section 5.           Waiver of compliance with Section 106.309**  
24 **(Capital improvement appropriations carried over) and Section 106.312**  
25 **(Lapse of appropriations), Ordinance Code, and further verification.**  
26 In accordance with Sections 106.309 and 106.312, *Ordinance Code*, the  
27 Budget Office is required to provide a list of Capital Improvement  
28 Projects Not Lapsed which itemizes the budget, encumbrances and  
29 remaining balances from prior years' appropriation. Due to changes  
30 in the software that the City utilizes to provide this information,  
31 the required list is not able to be produced at this time as it would

1 require that the Budget Office compile manually the various sources  
2 of information to make such list. The proposed City budget, Ordinance  
3 2022-504, has been prepared as though anticipated capital improvement  
4 appropriations are carried over from last fiscal year and not lapsing.  
5 The provisions of Sections 106.309 and 106.312, *Ordinance Code*, are  
6 hereby waived to submit the Capital Improvement Program legislation  
7 without the Capital Improvements Projects Not Lapsed exhibit.

8       **Section 6. Declaration of intent to reimburse.** The City of  
9 Jacksonville expects to incur expenses for which the City will advance  
10 internal funds in order to fund the construction, acquisition,  
11 improvement, and equipping of certain capital improvements more  
12 specifically described on **Revised Exhibit 1** (the "FY 22-23 Projects").  
13 The City intends to reimburse itself for all or a portion of such  
14 expenses from the proceeds of debt to be incurred by the City. The  
15 City of Jacksonville hereby declares its official intent to reimburse  
16 itself from the proceeds of debt to be incurred by the City for  
17 expenses incurred with respect to the FY 22-23 Projects subsequent  
18 to the date of this Ordinance.

19       This Ordinance is intended as a declaration of official intent  
20 under Treasury Regulation Section 1.150-2. The debt to be issued to  
21 finance the FY 22-23 Projects is expected not to exceed an aggregate  
22 principal amount of \$445,856,870 net project funds. The Mayor, the  
23 Corporation Secretary, the Chief Financial Officer, the General  
24 Counsel and such other officers and employees of the City as may be  
25 designated by the Mayor are authorized and empowered, collectively  
26 and individually, to take all action and steps and to execute all  
27 instruments, documents and contracts on behalf of the City that are  
28 necessary to carry out the purposes of this Ordinance.

29       **Section 7. Reconciliation of schedules, text,**  
30 **codification, journal entries, etc.** The Office of General Counsel  
31 and the Council Auditor's Office are authorized to make all changes

1 to titles, tables of content, Ordinance Code provisions, journal  
2 entries, schedules, and attachments, including editorial and text  
3 changes consistent with the changes set forth herein to effectuate  
4 the Council's action.

5 **Section 8. Effective Date.** This Ordinance shall become  
6 effective upon signature by the Mayor or upon becoming effective  
7 without the Mayor's signature.

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9 Form Approved:

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11           /s/ Mary E. Staffopoulos          

12 Office of General Counsel

13 Legislation Prepared By: Mary E. Staffopoulos

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