

1 Introduced by the Council President at the Request of the Mayor and  
2 amended by the Neighborhoods, Community Services, Public Health &  
3 Safety Committee:  
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6 **ORDINANCE 2020-505-E**

7 AN ORDINANCE ADOPTING THE FISCAL YEARS 2021-2025  
8 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"),  
9 AS REQUIRED BY PART 6, CHAPTER 122, *ORDINANCE*  
10 *CODE*; PROVIDING FOR 2021 CIP SPECIFICITY  
11 REQUIREMENTS; DIRECTING REVISIONS AND UPDATING OF  
12 THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030  
13 COMPREHENSIVE PLAN, AS REQUIRED BY SECTION  
14 163.3177, *FLORIDA STATUTES*; WAIVING SECTION  
15 122.602 (A) (DEFINITIONS), *ORDINANCE CODE*;  
16 PROVIDING FOR COMPLIANCE WITH SECTION 106.309  
17 (CAPITAL IMPROVEMENT APPROPRIATIONS CARRIED OVER)  
18 AND SECTION 106.312 (LAPSE OF APPROPRIATIONS),  
19 *ORDINANCE CODE*; PROVIDING FOR DECLARATION OF  
20 INTENT TO REIMBURSE; PROVIDING FOR RECONCILIATION  
21 OF SCHEDULES, TEXT, CODIFICATION, JOURNAL  
22 ENTRIES; PROVIDING AN EFFECTIVE DATE.  
23

24 **WHEREAS**, pursuant to Part 6, Chapter 122, *Ordinance Code*, the  
25 Department of Finance and Administration, the Department of  
26 Planning and Development and the Department of Public Works have  
27 met with all departments, agencies and commissions of the City to  
28 develop, and have developed, a Capital Improvement Plan ("CIP") for  
29 fiscal years 2021-2025 inclusive; and

30 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*,

1 the Council adopted the 2030 Comprehensive Plan, which contains the  
2 numerous elements required by Section 163.3177, *Florida Statutes*,  
3 including a Capital Improvements Element designed to consider the  
4 need for and location of public facilities in order to encourage  
5 efficient utilization of such facilities and setting forth  
6 estimated public facility costs, including a delineation of when  
7 public facilities will be needed, the general location of the  
8 facilities and projected revenue sources to fund the facilities;  
9 and

10 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires that the  
11 Capital Improvements Element be reviewed, revised and updated  
12 annually; and

13 **WHEREAS**, the Capital Improvements Element requires that the  
14 CIP be prepared in conjunction with the annual review and update of  
15 the Capital Improvements Element, and further requires that the CIP  
16 contain all of the projects listed in the Schedule of Capital  
17 Improvements, which is a part of the Capital Improvements Element;  
18 and

19 **WHEREAS**, the Council has reviewed the CIP and the Capital  
20 Improvements Element; now, therefore

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

22 **Section 1. Fiscal Years 2021-2025 Capital Improvement**  
23 **Plan Adopted.** The fiscal years 2021-2025 Capital Improvement Plan,  
24 including a Schedule of Capital Improvements (attached hereto as  
25 **Revised Exhibit 1**, and incorporated herein by this reference), are  
26 hereby adopted for the City and its independent agencies for the  
27 2020-2021 fiscal year. There shall be included in the annual  
28 budgets of the City and its independent agencies sufficient  
29 appropriations to implement the first year of the plan. By October  
30 22, 2020 or one month after the enacted date of this legislation,  
31 whichever is later, the Department of Finance and Administration

1 shall provide the Fiscal Years 2021-2025 revised adopted Capital  
2 Improvement Plan inclusive of the detailed description of the scope  
3 of each project included therein to all Council Members with a copy  
4 to Legislative Services to be placed in the file.

5 **Section 2. 2021 Capital Improvement Plan Specificity**  
6 **Requirements.** Notwithstanding anything herein, no funds shall be  
7 expended on a Capital Improvement Project (as defined by Sec.  
8 122.602(a)), which may have been line-item approved in a Capital  
9 Improvement Plan, without specific reference to precise locations  
10 of work, narrowly defined project costs, or narrowly defined work  
11 descriptions, unless and until such expenditures and an amendment  
12 to the Capital Improvement Plan identifying precise locations of  
13 work, narrowly defined project costs, and narrowly defined work  
14 descriptions are separately approved by City Council.

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

21 **Section 4. Waiver of Section 122.602(a) (Definitions),**  
22 **Ordinance Code.** Waiving Conflicting Provisions Section 122.602(a)  
23 (Definitions), *Ordinance Code*, excluding routine roadway  
24 resurfacing from the definition of Capital Improvement to allow  
25 roadway resurfacing for the 2020/2021 Fiscal Year.

26 **Section 5. Compliance with Section 106.309 (Capital**  
27 **improvement appropriations carried over) and Section 106.312 (Lapse**  
28 **of appropriations), Ordinance Code, and further verification.** In  
29 accordance with Sections 106.309 and 106.312, the Budget Office  
30 provided a list of Capital Improvement Projects Not Lapsed which  
31 itemizes the budget, encumbrances, remaining balances from prior

1 years' appropriation, which is attached hereto as **Exhibit 2**, dated  
2 July 11, 2020.

3       **Section 6. Declaration of intent to reimburse.** The City  
4 of Jacksonville, Florida (the "City") expects to incur expenses for  
5 which the City will advance internal funds in order to fund the  
6 construction, acquisition, improvement, and equipping of certain  
7 capital improvements more specifically described on **Revised Exhibit**  
8 **1** (the "FY 20-21 Projects"). The City intends to reimburse itself  
9 for all or a portion of such expenses from the proceeds of debt to  
10 be incurred by the City. The City hereby declares its official  
11 intent to reimburse itself from the proceeds of debt to be incurred  
12 by the City for expenses incurred with respect to the FY 20-21  
13 Projects subsequent to the date of this Ordinance. This Ordinance  
14 is intended as a declaration of official intent under Treasury  
15 Regulation Section 1.150-2. The debt to be issued to finance the FY  
16 20-21 Projects is expected not to exceed an aggregate principal  
17 amount of \$194,678,941 net project funds. The Mayor, the  
18 Corporation Secretary, the Chief Financial Officer, the General  
19 Counsel and such other officers and employees of the City as may be  
20 designated by the Mayor are authorized and empowered, collectively  
21 and individually, to take all action and steps and to execute all  
22 instruments, documents and contracts on behalf of the City that are  
23 necessary to carry out the purposes of this Ordinance.

24       **Section 7. Reconciliation of schedules, text,**  
25 **codification, journal entries.** The Office of General Counsel and  
26 the Council Auditor's Office are authorized to make all changes to  
27 titles, tables of content, Ordinance Code, journal entries,  
28 schedules, attachments, editorial and text changes consistent with  
29 the changes set forth herein to effectuate the Council's action.

30       **Section 8. Effective Date.** This Ordinance shall become  
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2

3 Form Approved:

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5 /s/ Paige H. Johnston

6 Office of General Counsel

7 Legislation Prepared By: Margaret M. Sidman

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