

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 2024-505-E**

6 AN ORDINANCE ADOPTING THE FISCAL YEARS 2025-2029
7 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"),
8 AS REQUIRED BY CHAPTER 122 (PUBLIC PROPERTY),
9 PART 6 (CAPITAL IMPROVEMENT PLAN), *ORDINANCE*
10 *CODE*; PROVIDING FOR 2025 CIP SPECIFICITY
11 REQUIREMENTS; DIRECTING REVISIONS AND UPDATING
12 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2045
13 *COMPREHENSIVE PLAN*, AS REQUIRED BY SECTION
14 163.3177, *FLORIDA STATUTES*; WAIVING APPLICABLE
15 PROVISIONS OF SECTION 122.602 (DEFINITIONS),
16 PART 6 (CAPITAL IMPROVEMENT PLAN), CHAPTER 122
17 (PUBLIC PROPERTY), *ORDINANCE CODE*, TO ALLOW
18 ROADWAY RESURFACING TO BE INCLUDED IN THE LIST
19 OF CAPITAL IMPROVEMENT PROJECTS FOR THE
20 2024-2025 FISCAL YEAR; PROVIDING FOR DECLARATION
21 OF INTENT TO REIMBURSE; WAIVING COMPLIANCE WITH
22 SECTION 106.309 (CAPITAL IMPROVEMENT
23 APPROPRIATIONS CARRIED OVER) AND SECTION 106.312
24 (LAPSE OF APPROPRIATIONS), SUBPART A (GENERAL
25 PROVISIONS), PART 3 (APPROPRIATIONS), CHAPTER
26 106 (BUDGET AND ACCOUNTING CODE), *ORDINANCE*
27 *CODE*, TO AUTHORIZE SUBMITTAL OF THE CAPITAL
28 IMPROVEMENT PLAN LEGISLATION WITHOUT THE CAPITAL
29 IMPROVEMENTS PROJECTS NOT LAPSED EXHIBIT;
30 PROVIDING FOR RECONCILIATION OF SCHEDULES, TEXT,
31 CODIFICATION, JOURNAL ENTRIES; PROVIDING AN

1 EFFECTIVE DATE.
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3 **WHEREAS**, pursuant to Chapter 122 (Public Property), Part 6
4 (Capital Improvement Plan), *Ordinance Code*, the Department of Finance
5 and Administration, the Department of Planning and Development, and
6 the Department of Public Works have met with all departments, agencies
7 and commissions of the City to develop, and have developed, a Capital
8 Improvement Plan ("CIP") for fiscal years 2025-2029 inclusive; and

9 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*,
10 the Council adopted the *2045 Comprehensive Plan*, which contains
11 numerous elements required by Section 163.3177, *Florida Statutes*,
12 including a Capital Improvements Element designed to consider the
13 need for and location of public facilities in order to encourage
14 efficient utilization of such facilities and setting forth estimated
15 public facility costs, including a delineation of when public
16 facilities will be needed, the general location of the facilities and
17 projected revenue sources to fund the facilities; and

18 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires local
19 governments to establish a Capital Improvements Element and that a
20 CIP be prepared in conjunction with the annual review and update of
21 the Capital Improvements Element, and further requires that the CIP
22 contain all of the projects listed in the Schedule of Capital
23 Improvements, which is a part of the Capital Improvements Element;
24 and

25 **WHEREAS**, the Council has reviewed the CIP and the Capital
26 Improvements Element; now therefore

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

28 **Section 1. Fiscal Years 2025-2029 Capital Improvement Plan**
29 **Adopted.** The fiscal years 2025-2029 Capital Improvement Plan,
30 including a Schedule of Capital Improvements, attached hereto as
31 **Revised Exhibit 1**, labeled as "Revised Exhibit 1, Rev 5-year CIP,

1 September 17, 2024 - Finance" and incorporated herein by this
2 reference, are hereby adopted for the City and its independent
3 agencies for the 2024-2025 Fiscal Year. There shall be included in
4 the annual budgets of the City and its independent agencies sufficient
5 appropriations to implement the first year of the plan. By October
6 25, 2024, or one month after the enacted date of this legislation,
7 whichever is later, the Department of Finance shall provide the Fiscal
8 Years 2025-2029 revised adopted Capital Improvement Plan inclusive
9 of the detailed description of the scope of each project included
10 therein to all Council Members with a copy to Legislative Services
11 to be placed in the file.

12 **Section 2. 2025 Capital Improvement Plan Specificity**
13 **Requirements.** Notwithstanding anything herein, no funds shall be
14 expended on a Capital Improvement Project (as defined by Section
15 122.602(a), *Ordinance Code*), which may have been line-item approved
16 in a Capital Improvement Plan, without specific reference to precise
17 locations of work, narrowly defined project costs, or narrowly defined
18 work descriptions, unless and until such expenditures and an amendment
19 to the Capital Improvement Plan identifying precise locations of
20 work, narrowly defined project costs, and narrowly defined work
21 descriptions are separately approved by the City Council.

22 **Section 3. Capital Improvements Element of the 2045**
23 **Comprehensive Plan Revised and Updated.** The Capital Improvements
24 Element of the *2045 Comprehensive Plan* shall be revised to reflect
25 the Schedule of Capital Improvements adopted hereinabove as part of
26 the CIP in the next available update of the *2045 Comprehensive Plan*,
27 in accordance with Section 163.3177, *Florida Statutes*.

28 **Section 4. Waiver of Applicable Provisions of Section**
29 **122.602 (Definitions), Ordinance Code.** The conflicting provisions
30 of Section 122.602 (Definitions), Part 6 (Capital Improvement Plan),
31 Chapter 122 (Public Property), *Ordinance Code*, which excludes routine

1 roadway resurfacing from the definition of "Capital Improvement
2 Project" are hereby waived to allow roadway resurfacing to be included
3 in the list of Capital Improvement Projects for the 2024-2025 Fiscal
4 Year.

5 **Section 5. Declaration of Intent to Reimburse.** The City of
6 Jacksonville expects to incur expenses for which the City will advance
7 internal funds in order to fund the construction, acquisition,
8 improvement, and equipping of certain capital improvements more
9 specifically described on **Revised Exhibit 1** (the "FY 24-25 Projects").
10 The City intends to reimburse itself for all or a portion of such
11 expenses from the proceeds of debt to be incurred by the City. The
12 City of Jacksonville hereby declares its official intent to reimburse
13 itself from the proceeds of debt to be incurred by the City for
14 expenses incurred with respect to the FY 24-25 Projects subsequent
15 to the date of this Ordinance.

16 This Ordinance is intended as a declaration of official intent
17 under Treasury Regulation Section 1.150-2. The debt to be issued to
18 finance the FY 24-25 Projects is expected not to exceed an aggregate
19 principal amount of \$67,592,918 net project funds. The Mayor, the
20 Corporation Secretary, the Chief Financial Officer, the General
21 Counsel and such other officers and employees of the City as may be
22 designated by the Mayor are authorized and empowered, collectively
23 and individually, to take all action and steps and to execute all
24 instruments, documents and contracts on behalf of the City that are
25 necessary to carry out the purposes of this Ordinance.

26 **Section 6. Waiver of Compliance with Section 106.309**
27 **(Capital improvement appropriations carried over) and Section 106.312**
28 **(Lapse of appropriations), Ordinance Code.** In accordance with
29 Sections 106.309 and 106.312, Subpart A (General Provisions), Part 3
30 (Appropriations), Chapter 106 (Budget and Accounting Code), *Ordinance*
31 *Code*, the Budget Office is required to provide a list of Capital

1 Improvement Projects Not Lapsed which itemizes the budget,
2 encumbrances and remaining balances from prior years' appropriations.
3 Due to changes in the software the City uses to provide this
4 information, the required list is not able to be produced at this
5 time as it would require the Budget Office to manually compile the
6 various sources of information to create such a list. The proposed
7 City budget, Ordinance 2024-504, has been prepared as though
8 anticipated capital improvement appropriations are carried over from
9 last fiscal year and not lapsing. The provisions of Sections 106.309
10 and 106.312, *Ordinance Code*, are hereby waived to authorize submittal
11 of the Capital Improvement Plan legislation without the Capital
12 Improvements Projects Not Lapsed exhibit.

13 **Section 7. Reconciliation of Schedules, Text,**
14 **Codification, Journal Entries, etc.** The Office of General Counsel
15 and the Council Auditor's Office are authorized to make all changes
16 to titles, tables of content, Ordinance Code provisions, journal
17 entries, schedules, and attachments, including editorial and text
18 changes consistent with the changes set forth herein to effectuate
19 the Council's action.

20 **Section 8. Effective Date.** This Ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

23
24 Form Approved:

25
26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Mary E. Staffopoulos

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