

1 Introduced by the Council President at the Request of the Mayor:
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4 **ORDINANCE 2022-416**

5 AN ORDINANCE REAPPROPRIATING \$94,875,967.35
6 FROM CAPITAL IMPROVEMENTS PROJECTS THAT HAVE
7 BEEN CERTIFIED COMPLETE BY THE DIRECTOR OF
8 PUBLIC WORKS AND CLOSED, THEIR RESIDUAL BALANCES
9 RETURNED TO THE SOURCE OR SOURCES OF ORIGIN, AND
10 PLACED IN A CONTINGENCY ACCOUNT, TRANSFERRING
11 \$38,920,804.62 BETWEEN EXPENSE ACCOUNTS AMONG
12 VARIOUS PROJECTS WITHIN THE BETTER JACKSONVILLE
13 PLAN FUND TO COMPLETE OUTSTANDING PROJECTS AS
14 DESCRIBED IN THE WORK PLAN, AND AUTHORIZE
15 BORROWING FROM THE CITY'S COMMERCIAL PAPER
16 FACILITY AND/OR ISSUANCE OF FIXED-RATE DEBT IN
17 THE CUMULATIVE, NOT-TO-EXCEED AMOUNT OF
18 \$85,063,552.37 AND APPROPRIATION THEREOF TO
19 PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS AS
20 INITIATED BY B.T. 22-081; AMENDING 2021-504-E,
21 THE FY 2021 BUDGET ORDINANCE, TO REPLACE FOURTH
22 REVISED SCHEDULE B4, THE FY 2021-2022 DEBT
23 MANAGEMENT FUND DETAIL, AND REVISED SCHEDULE
24 B4b, THE FY 2021-2022 CAPITAL IMPROVEMENTS
25 PROJECTS FUNDED VIA BORROWING, TO AUTHORIZE THE
26 BORROWING AND/OR THE ISSUANCE OF FIXED-RATE DEBT
27 FOR THE PROJECTS AS SET FORTH IN THE BETTER
28 JACKSONVILLE WORK PLAN AND AS SHOWN IN B.T. 22-
29 081; AMENDING THE 2022-2026 FIVE-YEAR CAPITAL
30 IMPROVEMENT PROGRAM APPROVED BY ORDINANCE 2021-
31 505-E; PROVIDING FOR CITY OVERSIGHT BY THE

1 DEPARTMENT OF PUBLIC WORKS; PROVIDING FOR AN
2 EFFECTIVE DATE.

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4 **WHEREAS**, Ordinance 2005-898-E modified the Better Jacksonville
5 Plan Road projects to establish a new priority and work project which
6 was attached to 2005-898-E; and

7 **WHEREAS**, as part of 2005-898-E an analysis entitled the "Better
8 Jacksonville Plan Rework and Just Cause Analysis" (said document is
9 part of the legislative file for 2005-898-E) was conducted and a
10 determination was made that "BJP was not envisioned to be the sole
11 funding source for a project...";

12 **WHEREAS**, this legislation increases, due in part to higher
13 construction costs, the budgetary authorization for the BJP projects
14 listed on **Exhibit 1** attached hereto and incorporated herein by
15 reference to change the funding source from the ½ Cent Discretionary
16 Sales Tax to the Authorized Capital Projects fund; and

17 **WHEREAS**, this change in funding source will allow the Better
18 Jacksonville Plan to reflect transfers in the budgetary authorization
19 for those specified projects from the sales tax funding source and
20 recognize an alternate funding source, and the additional BJP
21 budgetary capacity shall be used to complete other previously
22 authorized BJP projects and also for repayment of existing bond
23 indebtedness issued in connection with BJP projects, including early
24 prepayment of such bond indebtedness; now therefore

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

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

28 **Section 2. Appropriation.** For the 2021-2022 fiscal year,
29 within the City's budget, there are hereby deauthorized the previously
30 appropriated indicated sum(s) from the account(s) listed in
31 subsection (a) to the account(s) listed in subsection (b): (B.T. 22-

1 081 attached hereto as **Exhibit 2** and incorporated herein by this
2 reference)

3 (a) Appropriated from:

4 See B.T. 22-081 \$218,860,324.34

5 (b) Appropriated to:

6 See B.T. 22-081 \$218,860,324.34

7 (c) Explanation of Appropriation: The appropriation
8 reappropriates \$94,875,967.35 from completed capital
9 improvements projects to fund BJP projects in the Work
10 Program, transfers \$38,920,804.62 between expense accounts
11 in various projects within BJP and authorizes the borrowing
12 of up to \$85,063,552.37 to fund the remaining BJP projects.

13 **Section 3. Purpose.** The purpose of the appropriation in
14 Section 2 is to reappropriate funds from Capital Improvements Projects
15 that were certified complete by the Director of Public Works, closed,
16 and had their residual balances returned to the source or sources of
17 origin, and appropriate those funds to complete Better Jacksonville
18 Plan projects as identified in the original Work Plan, which have not
19 been completed due to construction cost increases and are as described
20 in the attached **Exhibit 2**. The appropriation also changes the funding
21 source for certain projects in the Work Program from the ½ Cent
22 Discretionary Sales Tax to the Authorized Capital Projects fund and
23 authorizes borrowing in the not-to-exceed amount of \$85,063,552.37
24 to fully fund such projects.

25 **Section 4. Amending 2021-504-E, the FY 2021-2022 Budget**
26 **Ordinance, to replace Fourth Revised Schedule B4 and Revised Schedule**
27 **B4b to provide additional funding for the BJP Projects.** 2021-504-E,
28 the FY 2021-2022 Budget Ordinance, is hereby amended to replace Fourth
29 Revised Schedule B4, entitled "FY 21-22 Capital Improvement Projects
30 Funded via Borrowing", and Revised Schedule B4b, entitled "FY 21-22
31 Capital Improvement Projects Funded via Borrowing", to provide an

1 additional \$85,063,552.37 in funding to the BJP projects set forth
2 on **Exhibit 1** attached hereto. The Fifth Revised Schedule B4 and Second
3 Revised Schedule B4b are attached hereto as **Exhibit 3**.

4 **Section 5. Directing the Finance Department to Reflect**
5 **change in Funding Source.** The Council hereby authorizes and directs
6 the Finance Department to reflect the change of the funding source
7 for those Better Jacksonville Plan projects as described in **Exhibit**
8 **1** attached hereto due to the projects being funded by sources other
9 than the BJP ½ Cent Discretionary Sales Tax.

10 **Section 6. CIP Amendment.** Ordinance 2021-505-E, being the
11 2022-2026 Five-Year Capital Improvement Program for the City and
12 certain of its independent agencies, is hereby amended to provide
13 funding for the projects more fully described in the Project
14 Information Sheets, attached hereto as **Exhibit 4** and incorporated
15 herein by this reference. The Council finds that the deferral of this
16 amendment of the CIP until the next annual budget and CIP review will
17 be detrimental to the best interests of the community because such
18 deferral will leave numerous capital projects within the Better
19 Jacksonville Plan uncompleted and would have a negative effect on
20 accelerating the collection of the sales tax revenue for payment
21 toward the unfunded liability of City pensions. Pursuant to Section
22 122.605(c), *Ordinance Code*, enactment of this ordinance requires the
23 affirmative vote of two-thirds of the Council members present at the
24 meeting because of the CIP amendment set forth in this section. This
25 ordinance shall constitute an amendment to Ordinance 2021-505-E. In
26 all other respects, the Five-Year Capital Improvement Program
27 approved by Ordinance 2021-505-E shall continue in full force and
28 effect.

29 **Section 7. Effective Date.** This ordinance shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

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2 Form Approved:

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4 /s/ John Sawyer

5 Office of General Counsel

6 Legislation prepared by: John Sawyer

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