



BOARD RESOLUTION No. 2025-11b

February 25, 2025

A RESOLUTION BY THE BOARD APPROVING A TRIPARTE INTERLOCAL AGREEMENT WITH THE JACKSONVILLE PORT AUTHORITY AND THE CITY OF JACKSONVILLE FOR CONSTRUCTION AND FUNDING OF THE FULTON CUT CROSSING TRANSMISSION LINES RELOCATION PROJECT AND TERMINATING THE INTERLOCAL AGREEMENT WITH THE JACKSONVILLE PORT AUTHORITY DATED APRIL 18, 2023; AUTHORIZING THE CHIEF EXECUTIVE OFFICER/MANAGING DIRECTOR OR DESIGNEE TO EXECUTE THE TRIPARTE INTERLOCAL AGREEMENT ON BEHALF OF THE BOARD; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Jacksonville Port Authority (JAXPORT), a body politic and corporate created under chapter 2001-319, Laws of Florida, as amended, is charged with operating, managing, and controlling the publicly owned seaport and ancillary facilities situated within the geographic boundaries of the City of Jacksonville (CITY); and

WHEREAS, JEA, a body politic and corporate created under chapter 78-538, Laws of Florida, as amended, and Article 21 of the City Charter, is vested with plenary authority to own, manage, and operate electric, waste, wastewater, natural gas, and other utility systems situated within and without the City in accordance with Article 21; and

WHEREAS, JEA owns and operates six (6) aerial high-voltage electric transmission lines that cross the St. Johns River at the Fulton Cut Crossing; and

WHEREAS, the transmission lines are currently carried by three (3) double circuit lattice towers located on each side of the crossing; and

WHEREAS, JAXPORT seeks to increase the height of JEA's transmission lines to improve conditions for the size and types of ships traversing Fulton Cut Crossing, thereby expanding navigation into and out of JAXPORT facilities as well as providing for more reliable, updated and resilient infrastructure; and

WHEREAS, JEA has confirmed the feasibility of replacing the existing lattice towers to increase or raise the height of JEA's transmission lines to at least 225 feet above mean high water to provide a minimum of 205 feet of navigation operational clearance (the "Project") and agrees to facilitate construction and partial funding of the Project in coordination with JAXPORT and CITY; and

WHEREAS, on March 27, 2023, JAXPORT and CITY entered into that certain Jacksonville Port Authority Fulton Cut Powerlines Raising Funding Agreement (City Agreement) to provide partial funding for the Project; and

WHEREAS, on April 18, 2023, JAXPORT and JEA entered into that certain interlocal agreement regarding the Fulton Cut Crossing Transmission Lines (JEA Agreement) to facilitate construction of the Project; and

WHEREAS, in 2023, the preliminary estimated aggregate cost of the Project was between \$42,000,000 and \$45,000,000, inclusive of the contingency amounts, over a four-year period; and

WHEREAS, since that time the total aggregate cost of the Project has increased to \$117,000,000, inclusive of contingency amounts; and

WHEREAS, JAXPORT has secured partial funding for the Project in the amount of Fifty-Two Million, Five Hundred Thousand Dollars (\$52,500,000) from the Florida Department of Transportation ("FDOT") and CITY to be disbursed to JAXPORT during the Project duration; and

WHEREAS, JEA and JAXPORT propose to each contribute Thirty-Two Million, Five Hundred Thousand (\$32,500,000) towards the cost of the Project; and

WHEREAS, the Parties desire to terminate the City Agreement and JEA Agreement and enter into the attached Triparte Interlocal Agreement; and

WHEREAS, pursuant to Chapter 163.01, Florida Statutes, as amended, the Parties are authorized and empowered to cooperate with each other on a basis of mutual advantage to enter into interlocal agreements to make the most efficient use of their powers; and

WHEREAS, the Parties desire to terminate the City Agreement and JEA Agreement and enter into an interlocal agreement in substantially the same form and format as attached hereto as Attachment 1, and incorporated herein, detailing their respective duties and obligations in completing the Project; and

WHEREAS, based upon its review, the Board finds that entering into the proposed interlocal agreement to cooperate with JAXPORT to complete the Project provides mutual advantage and effective use of the Parties respective powers.

BE IT RESOLVED by the JEA Board of Directors that:

1. The recitals stated above are hereby incorporated into and made part of this Resolution, and such recitals shall serve as findings of fact.
2. The Board hereby approves the terms, conditions, and provisions of the proposed Triparte Interlocal Agreement, which includes termination of the Interlocal Agreement with the Jacksonville Port Authority dated April 18, 2023.
3. The Board authorizes the Chief Executive Officer/Managing Director, or designee, to execute an interlocal agreement in substantially the same form and format as attached hereto as Attachment 1, providing for completion of the Project.
4. To the extent that there are any typographical, administrative, and/or scrivener's errors contained herein that do not change the tone, tenor, or purpose of this Resolution, then such errors may be administratively corrected with no further action required by the Board.
5. This Resolution shall be effective upon approval by the Board.

Dated this 25th day of February, 2025




JEA Board Chair



JEA Board Secretary

Form Approved by



Office of General Counsel

VOTE	
In Favor	6
Opposed	0
Abstained	0