

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 2022-416-E**

6 AN ORDINANCE REAPPROPRIATING \$94,875,967.35
7 FROM CAPITAL IMPROVEMENTS PROJECTS THAT HAVE
8 BEEN CERTIFIED COMPLETE BY THE DIRECTOR OF
9 PUBLIC WORKS AND CLOSED, THEIR RESIDUAL BALANCES
10 RETURNED TO THE SOURCE OR SOURCES OF ORIGIN, AND
11 PLACED IN A CONTINGENCY ACCOUNT, TRANSFERRING
12 \$38,978,979.19 BETWEEN EXPENSE ACCOUNTS AMONG
13 VARIOUS PROJECTS WITHIN THE BETTER JACKSONVILLE
14 PLAN FUND TO COMPLETE OUTSTANDING PROJECTS AS
15 DESCRIBED IN THE WORK PLAN, AND AUTHORIZE
16 BORROWING FROM THE CITY'S COMMERCIAL PAPER
17 FACILITY AND/OR ISSUANCE OF FIXED-RATE DEBT IN
18 THE CUMULATIVE, NOT-TO-EXCEED AMOUNT OF
19 \$154,869,342.48 AND APPROPRIATION THEREOF TO
20 PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS AS
21 INITIATED BY REVISED B.T. 22-081; AMENDING
22 ORDINANCE 2022-504-E, THE FISCAL YEAR 2022-2023
23 BUDGET, TO REPLACE THE FY 2022-2023 DEBT
24 MANAGEMENT FUND B4 AND B4B SCHEDULES, TO
25 AUTHORIZE THE BORROWING AND/OR THE ISSUANCE OF
26 FIXED-RATE DEBT FOR THE PROJECTS AS SET FORTH IN
27 THE BETTER JACKSONVILLE WORK PLAN AND AS SHOWN
28 IN REVISED B.T. 22-081; AMENDING THE 2023-2027
29 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM APPROVED
30 BY ORDINANCE 2022-505-E; PROVIDING FOR CITY
31 OVERSIGHT BY THE DEPARTMENT OF PUBLIC WORKS;

1 PROVIDING FOR AN EFFECTIVE DATE.
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3 **WHEREAS**, Ordinance 2005-898-E modified the Better Jacksonville
4 Plan Road projects to establish a new priority and work project which
5 was attached to 2005-898-E; and

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

11 **WHEREAS**, this legislation increases, due in part to higher
12 construction costs, the budgetary authorization for the BJP projects
13 listed on **Revised Exhibit 1**, labeled as "Revised Exhibit 1, Rev Proj
14 List, February 7, 2023 - Finance" attached hereto and incorporated
15 herein by reference to change the funding source from the ½ Cent
16 Discretionary 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 2022-2023 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): (Revised

1 B.T. 22-081 attached hereto as **Revised Exhibit 2**, labeled as "Revised
2 Exhibit 2, Rev B.T. 22-081, February 7, 2023 - Finance" and
3 incorporated herein by this reference)

4 (a) Appropriated from:

5 See Revised B.T. 22-081 \$288,724,289.02

6 (b) Appropriated to:

7 See Revised B.T. 22-081 \$288,724,289.02

8 (c) Explanation of Appropriation: The appropriation
9 reappropriates \$94,875,967.35 from completed capital
10 improvements projects to fund BJP projects in the Work
11 Program, transfers \$38,978,979.19 between expense accounts
12 in various projects within BJP and authorizes the borrowing
13 of up to \$154,869,342.48 to fund the remaining BJP
14 projects.

15 **Section 3. Purpose.** The purpose of the appropriation in
16 Section 2 is to reappropriate funds from Capital Improvements Projects
17 that were certified complete by the Director of Public Works, closed,
18 and had their residual balances returned to the source or sources of
19 origin, and appropriate those funds to complete Better Jacksonville
20 Plan projects as identified in the original Work Plan, which have not
21 been completed due to construction cost increases and are as described
22 in the attached **Revised Exhibit 2**. The appropriation also changes the
23 funding source for certain projects in the Work Program from the ½
24 Cent Discretionary Sales Tax to the Authorized Capital Projects fund
25 and authorizes borrowing in the not-to-exceed amount of
26 \$154,869,342.48 to fully fund such projects.

27 **Section 4. Amending Ordinance 2022-504-E, the Fiscal Year**
28 **2022-2023 Budget, to replace the Third Revised Schedule B4 and Revised**
29 **Schedule B4b to Provide Additional Funding for the BJP Projects.**
30 Ordinance 2022-504-E, the FY 2022-2023 Budget, is hereby amended to
31 replace the Third Revised Schedule B4, entitled "FY 22-23 Debt

1 Management Fund Detail" and Revised Schedule B4b, entitled "FY 22-23
2 Capital Improvement Projects Funded Via Borrowing", to provide an
3 additional \$154,869,342.48 in funding to the BJP projects set forth
4 on **Revised Exhibit 1**, attached hereto. The Fourth Revised Schedule
5 B4 and the Second Revised Schedule B4b are attached hereto as **Revised**
6 **Exhibit 3**, labeled as "Revised Exhibit 3, Rev Schedules, February 7,
7 2023 - Finance".

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

14 **Section 6. CIP Amendment.** Ordinance 2022-505-E, being the
15 2023-2027 Five-Year Capital Improvement Program for the City and
16 certain of its independent agencies, is hereby amended to provide
17 funding for the projects more fully described in the Project
18 Information Sheets, attached hereto as **Revised Exhibit 4**, labeled as
19 "Revised Exhibit 4, Rev CIP Sheets, February 7, 2023 - Finance" and
20 incorporated herein by this reference. The Council finds that the
21 deferral of this amendment of the CIP until the next annual budget
22 and CIP review will be detrimental to the best interests of the
23 community because such deferral will leave numerous capital projects
24 within the Better Jacksonville Plan uncompleted and would have a
25 negative effect on accelerating the collection of the sales tax
26 revenue for payment toward the unfunded liability of City pensions.
27 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this
28 ordinance requires the affirmative vote of two-thirds of the Council
29 members present at the meeting because of the CIP amendment set forth
30 in this section. This ordinance shall constitute an amendment to
31 Ordinance 2022-505-E. In all other respects, the Five-Year Capital

1 Improvement Program approved by Ordinance 2022-505-E shall continue
2 in full force and effect.

3 **Section 7. Effective Date.** This ordinance shall become
4 effective upon signature by the Mayor or upon becoming effective
5 without the Mayor's signature.

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7 Form Approved:

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9 /s/ Mary E. Staffopoulos

10 Office of General Counsel

11 Legislation prepared by: John Sawyer

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