

1 Introduced by Council Member Boylan and amended on the Floor of
2 Council:

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4
5 **ORDINANCE 2025-322-E**

6 AN ORDINANCE APPROPRIATING \$15,500 FROM THE
7 AUTHORIZED CAPITAL PROJECTS - PROJECT CLOSURE
8 CONTINGENCY FY24 FORWARD - CONTINGENCY ACCOUNT
9 TO THE GENERAL FUND OPERATING SUBSIDIES AND
10 CONTRIBUTIONS TO OTHER GOVT ACCOUNT TO PROVIDE
11 FUNDS TO THE DEEP BOTTOM CREEK DEPENDENT SPECIAL
12 DISTRICT ("DEEP BOTTOM CREEK DSD") FOR
13 ADDITIONAL SURVEY, LEGAL AND OTHER PROFESSIONAL
14 SERVICES, AND PERMITTING COSTS NECESSARY TO
15 OBTAIN PERMITS TO IMPLEMENT DREDGING OF DEEP
16 BOTTOM CREEK; APPROVING, AND AUTHORIZING THE
17 MAYOR, OR HER DESIGNEE, AND THE CORPORATION
18 SECRETARY TO EXECUTE AND DELIVER ON BEHALF OF
19 THE CITY A FIRST AMENDMENT TO THE FUNDING
20 AGREEMENT FOR DEEP BOTTOM CREEK SPECIAL DISTRICT
21 (THE "AGREEMENT"), ORIGINALLY APPROVED AND
22 AUTHORIZED BY ORDINANCE 2023-92-E, TO INCREASE
23 THE MAXIMUM INDEBTEDNESS \$15,500 TO A NEW TOTAL
24 MAXIMUM INDEBTEDNESS OF \$30,500 WITH ALL OTHER
25 TERMS AND CONDITIONS OF THE AGREEMENT REMAINING
26 THE SAME EXCEPT AS SPECIFICALLY AUTHORIZED
27 HEREIN; PROVIDING FOR OVERSIGHT BY THE PUBLIC
28 WORKS DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

29
30 **WHEREAS,** the Deep Bottom Creek Dependent Special District (the
31 "Deep Bottom Creek DSD") was created pursuant to Ordinance 2022-489-E

1 for the purpose of providing an appropriate, efficient and effective
 2 mechanism for ongoing maintenance of Deep Bottom Creek; and

3 **WHEREAS,** the Deep Bottom Creek DSD continues to make efforts
 4 to implement a dredging project for Deep Bottom Creek; and

5 **WHEREAS,** pursuant to Ordinance 2023-92-E, the City Council
 6 appropriated \$15,000 to the Deep Bottom Creek DSD and authorized
 7 execution of a funding Agreement outlining the terms and conditions
 8 for expenditure of the City funds to assist in defraying the costs
 9 for implementation of the dredging project; and

10 **WHEREAS,** the Deep Bottom Creek DSD has requested further
 11 assistance from the City to offset additional expenditures necessary
 12 to obtain the permits required to implement dredging of Deep Bottom
 13 Creek; now therefore

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

15 **Section 1. Appropriation.** For the 2024-2025 fiscal year,
 16 within the City's budget, there is hereby appropriated the indicated
 17 sum(s) from the account(s) listed in subsection (a) to the account(s)
 18 listed in subsection (b):

19 (The account information is attached hereto as **Revised Exhibit 1,**
 20 labeled as "Revised Exhibit 1, Rev B.T., June 10, 2025 - Floor" and
 21 incorporated herein by this reference)

22 (a) Appropriated from:

23 See **Revised Exhibit 1** \$15,500

24 (b) Appropriated to:

25 See **Revised Exhibit 1** \$15,500

26 (c) Explanation of Appropriation:

27 The funding above is an appropriation of \$15,500 from the
 28 Authorized Capital Projects - Project Closure Contingency
 29 FY24 Forward - Contingency account to the General Fund
 30 Operating Subsidies and Contributions to Other Govt account
 31 to provide funds to the Deep Bottom Creek DSD for

1 additional survey, legal and professional services, and
2 permitting costs to obtain permits to implement dredging
3 of Deep Bottom Creek.

4 **Section 2. Purpose.** The purpose of the appropriation in
5 Section 1 is to provide funding from the City of Jacksonville to the
6 Deep Bottom Creek DSD for additional survey, legal and professional
7 services, and permitting costs required to implement work to dredge
8 Deep Bottom Creek. The City funds will be used to conduct an
9 additional pre-dredge hydrological survey, to pay for legal and other
10 professional services and support related to issuance of a Request
11 for Proposals, and to offset other permitting and related support
12 costs necessary to obtain a permit to implement dredging.

13 **Section 3. Approval and Authorization to Execute First**
14 **Amendment to Agreement.** There is hereby approved, and the Mayor, or
15 her designee, and the Corporation Secretary are hereby authorized to
16 execute and deliver on behalf of the City a first amendment to the
17 Funding Agreement for Deep Bottom Creek Special District (City
18 Contract No. 70454-23) (the "Agreement"), originally approved and
19 authorized by Ordinance 2023-92-E, to increase the maximum
20 indebtedness by \$15,500, for a new total maximum indebtedness of
21 \$30,500, with all other terms and conditions of the Agreement
22 remaining the same except as specifically provided herein. The first
23 amendment may include such additions, deletions and changes as may
24 be reasonable, necessary and incidental for carrying out the purposes
25 thereof, as may be acceptable to the Mayor, or her designee, with
26 such inclusion and acceptance being evidenced by execution of the
27 first amendment by the Mayor, or her designee; provided however, no
28 modifications to the first amendment may increase the financial
29 obligations of the City to an amount in excess of the amount stated
30 herein nor decrease the duties and obligations of the Deep Bottom
31 Creek DSD, and any such modifications shall be technical only and

1 shall be subject to appropriate legal review and approval by the
2 Office of General Counsel and the City's Risk Management Division for
3 appropriate insurance and indemnification terms. For the purposes of
4 this Ordinance, the term "technical changes" is defined as those
5 changes having no financial impact to the City, and any other
6 non-substantive changes that do not substantively increase the duties
7 and responsibility of the City under the provisions of the Agreement.

8 **Section 4. Oversight Department.** The Public Works
9 Department shall oversee the project described herein.

10 **Section 5. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Mary E. Staffopoulos

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