

1 Introduced by the Council President at the request of the Mayor and
2 Co-sponsored by Council Member Dennis, Ferraro, Carlucci, Newby, R.
3 Gaffney, Priestly Jackson, DeFoor, Salem, Pittman, Freeman, Hazouri and
4 Bowman:

5
6 **ORDINANCE 2019-773-E**

7 AN ORDINANCE APPROPRIATING GRANT FUNDS IN THE
8 AMOUNT OF \$1,500,000.00 FROM THE ST. JOHNS
9 RIVER WATER MANAGEMENT DISTRICT FOR ITS
10 PARTICIPATION IN THE COSTS OF THE MCCOY'S
11 CREEK IMPROVEMENT PROJECT, AS INITIATED BY
12 B.T. 19-128; AMENDING THE 2020-2024 FIVE-YEAR
13 CAPITAL IMPROVEMENT PROGRAM APPROVED BY
14 ORDINANCE 2019-505-E TO PROVIDE FUNDING FOR
15 THE PROJECT ENTITLED "MCCOY'S CREEK
16 RESTORATION"; AUTHORIZING THE MAYOR, OR HIS
17 DESIGNEE, AND THE CORPORATION SECRETARY TO
18 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
19 CITY, THE COST SHARE AGREEMENT BETWEEN THE ST.
20 JOHNS RIVER WATER MANAGEMENT DISTRICT AND CITY
21 OF JACKSONVILLE; PROVIDING FOR CITY OVERSIGHT
22 BY THE ENGINEERING AND CONSTRUCTION MANAGEMENT
23 DIVISION OF THE DEPARTMENT OF PUBLIC WORKS;
24 PROVIDING AN EFFECTIVE DATE.

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

27 **Section 1. Appropriation.** For the 2019-2020 fiscal year,
28 within the City's budget, there are hereby appropriated the
29 indicated sum(s) from the account(s) listed in subsection (a) to
30 the account(s) listed in subsection (b):

1 (B.T. 19-128 attached hereto as **Exhibit 1** and incorporated herein
2 by this reference)

3
4 (a) Appropriated from:

5 See B.T. 19-128 \$1,500,000.00

6 (b) Appropriated to:

7 See B.T. 19-128 \$1,500,000.00

8 (c) Explanation of Appropriation

9 The funding above is a grant from the St. Johns River
10 Water Management District ("SJRWMD") for its
11 participation in the costs of the McCoy's Creek
12 Improvement Project.

13 **Section 2. Purpose.** The purpose of this legislation is
14 to appropriate new grant funds from SJRWMD for its participation in
15 the project costs for the restoration of McCoy's Creek by enhancing
16 the natural creek flow and natural flood plain, removing two
17 bridges, raising two bridges above the 100 year flood stage,
18 opening the mouth of McCoy's Creek, and transporting contaminated
19 ash within a highly urbanized creek lying within the city limits on
20 the north bank of the St. Johns River in proximity to the Fuller
21 Warren Bridge.

22 **Section 3. CIP Amendment.** Ordinance 2019-505-E, being the
23 2020-2024 Five-Year Capital Improvement Program for the City and
24 certain of its independent agencies, is hereby amended to use grant
25 funds for the project entitled "McCoy's Creek Restoration." The
26 project is more fully described in the Project Information Sheet,
27 attached hereto as **Exhibit 2** and incorporated herein by this
28 reference. The Council finds that the deferral of this amendment of
29 the CIP until the next annual budget and CIP review will be
30 detrimental to the best interests of the community because such
31 deferral will result in unnecessary delay in receiving grant

1 dollars from SJRWMD. Pursuant to Section 122.605(c), *Ordinance*
2 *Code*, enactment of this ordinance requires the affirmative vote of
3 two-thirds of the Council members present at the meeting because of
4 the CIP amendment set forth in this section. This ordinance shall
5 constitute an amendment to Ordinance 2019-505-E. In all other
6 respects, the Five-Year Capital Improvement Program approved by
7 Ordinance 2019-505-E shall continue in full force and effect.

8 **Section 4. Approving and authorizing execution of Cost**
9 **Share Agreement.** The Mayor, or his designee, and Corporation
10 Secretary are hereby authorized to execute and deliver, for and on
11 behalf of the City, the Cost Share Agreement between the St. Johns
12 River Water Management District and City of Jacksonville, in
13 substantially the same form attached hereto as **Exhibit 3** and
14 incorporated herein by this reference.

15 **Section 5. Oversight.** The Engineering and Construction
16 Management Division of the Department of Public Works will provide
17 oversight.

18 **Section 6. Effective Date.** This ordinance shall become
19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ James R. McCain, Jr.

25 Office of General Counsel

26 Legislation prepared by: James R. McCain, Jr.

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