

1 Introduced by Council Member Howland and Co-Sponsored by Council
2 Members Clark-Murray, Freeman, Lahnen, Gay and Pittman:

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5 **ORDINANCE 2023-401-E**

6 AN ORDINANCE APPROPRIATING \$75,000.00 FROM A
7 FLORIDA INLAND NAVIGATION DISTRICT (FIND)
8 PROJECT FOR REED ISLAND TO PROVIDE FUNDING FOR
9 INFORMATIONAL SIGNAGE TO WARN BOATERS OF
10 SHOALING AREA; PROVIDING FOR DESIGN AND
11 IMPLEMENTATION; PROVIDING FOR OVERSIGHT;
12 AMENDING THE 2023-2027 FIVE-YEAR CAPITAL
13 IMPROVEMENT PLAN APPROVED BY ORDINANCE
14 2022-505-E TO REFLECT THE REDUCTION IN FUNDING
15 FOR THE PROJECT ENTITLED FIND REED ISLAND;
16 PROVIDING FOR CARRYOVER; PROVIDING AN EFFECTIVE
17 DATE.

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19 **WHEREAS**, from the mouth of Clapboard Creek southeastward
20 toward the main channel of the St. Johns River, a sandbar or shoal
21 ("shoal") has developed; and

22 **WHEREAS**, the shoal was not present 10 years ago, but has formed
23 and is rapidly increasing in size and now encompasses approximately
24 7 to 10 football fields in length and about 1 football field in width;
25 and

26 **WHEREAS**, at low tide in certain areas, the water is so shallow
27 that sand is exposed, presenting a great safety risk to people and
28 watercraft; and

29 **WHEREAS**, the Jacksonville Waterways Commission is committed to
30 the protection of Jacksonville waterways and the citizens of
31 Jacksonville; and

1 **WHEREAS**, the Jacksonville Waterways Commission finds that
2 warning signs placed in the shoaling area are necessary for the
3 protection of the citizens; and

4 **WHEREAS**, warning signs must be permitted by Florida Fish and
5 Wildlife Conservation Commission ("FWC") pursuant to Section 327.40,
6 F.S., but FWC does not provide the signs or dictate the type of sign
7 (whether a fixed piling with attached signs or a buoy anchored to the
8 river bottom), so the decision as to the entity responsible for the
9 cost of the placement and maintenance of the signs is left to the
10 City; now therefore

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

12 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
13 within the City's budget, there are hereby appropriated the indicated
14 sum(s) from the account(s) listed in subsection (a) to the account(s)
15 listed in subsection (b):

16 (The account information is attached hereto as **Exhibit 1** and
17 incorporated herein by this reference)

18 (a) Appropriated from:

19 See attached **Exhibit 1** \$75,000.00

20 (b) Appropriated to:

21 See attached **Exhibit 1** \$75,000.00

22 (c) **Explanation of the appropriation:** The funding above is to
23 provide \$75,000.00 from a FIND project for Reed Island
24 whereby City matching dollars previously appropriated for
25 the project are no longer needed as the project is not
26 moving forward. The funds are instead being appropriated
27 for the placement of warning signs in the shoaling area
28 around the mouth of Clapboard Creek southeastward toward
29 the main channel of the St. Johns River.

30 **Section 2. Purpose.** The purpose of the appropriation in
31 Section 1 is to permit, construct or purchase, and install signs

1 notifying the boating public of the shoal that has developed in the
2 area around the mouth of Clapboard Creek southeastward toward the
3 main channel of the St. Johns River. Any funds not utilized for this
4 purpose shall be returned to the source of funding.

5 **Section 3. Design and Implementation.** To ensure boaters
6 are aware of the dangers of the shoal in the area around the mouth
7 of Clapboard Creek southeastward toward the main channel of the St.
8 Johns River, the Parks, Recreation and Community Services Department,
9 in consultation with FWC, and other interested city, state or federal
10 agencies or departments, shall design and obtain necessary permits
11 to install the warning signs at appropriate places to alert the
12 boating public about the area. The Parks, Recreation and Community
13 Services Department shall also implement the design for the placement
14 of the signs.

15 **Section 4. Oversight.** Oversight of the professional
16 services portion of this effort and the implementation of the design
17 will be conducted by the Parks, Recreation and Community Services
18 Department.

19 **Section 5. Capital Improvement Plan Amendment.** Ordinance
20 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan
21 (the "CIP") for the City and certain of its independent agencies, is
22 hereby amended to reduce funding for the project entitled FIND Reed
23 Island as more fully described in the Project Information Sheet
24 attached hereto as **Exhibit 2** and incorporated herein by this
25 reference. The City Council finds that the deferral of this amendment
26 of the CIP until the next annual budget and CIP review will jeopardize
27 the safety of the citizens traveling this waterway and be detrimental
28 to the overall best interests of the community.

29 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
30 this Ordinance requires the affirmative vote of two-thirds of the
31 City Council members present at the meeting because of the CIP

1 amendment set forth in this section. This Ordinance shall constitute
2 an amendment to Ordinance 2022-505-E. In all other respects, the
3 Five-Year Capital Improvement Plan approved by Ordinance 2022-505-E
4 shall remain unchanged and continue in full force and effect.

5 **Section 6. Carryover.** The funds appropriated by this
6 Ordinance shall not lapse but shall carryover to September 30, 2024.

7 **Section 7. Effective Date.** This Ordinance shall become
8 effective upon signature by the Mayor or upon becoming effective
9 without the Mayor's signature.

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11 Form Approved:

12
13 /s/ Mary E. Staffopoulos

14 Office of General Counsel

15 Legislation Prepared by: Rita M. Mairs

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