

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Members Lahnen, Howland, Miller and Johnson
3 and amended by the Neighborhoods, Community Services, Public Health
4 and Safety Committee:
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7 **ORDINANCE 2025-194-E**

8 AN ORDINANCE APPROPRIATING \$3,500,000 OF
9 PREVIOUSLY APPROPRIATED BUT LAPSED FUNDS FOR THE
10 FULTON CUT CROSSING POWERLINES PROJECT AND
11 RECLASSIFYING \$17,500,000 OF PREVIOUSLY
12 AUTHORIZED FUNDS, AS INITIATED BY REVISED B.T.
13 25-058; PROVIDING FOR CARRYOVER OF FUNDS TO
14 FISCAL YEAR 2026/2027; AUTHORIZING A \$34,500,000
15 GRANT ("CITY GRANT") TO THE JACKSONVILLE PORT
16 AUTHORITY ("JAXPORT"), COMPRISED OF \$27,500,000
17 OF FUNDING PREVIOUSLY AUTHORIZED, AND THE
18 APPLICATION OF \$7,000,000 OF COST SAVINGS FROM
19 THE JAXPORT DREDGE PROJECT AUTHORIZED BY
20 ORDINANCE 2020-377-E, TO SUPPORT THE RAISING OF
21 THE FULTON CUT CROSSING ELECTRIC TRANSMISSION
22 LINES, TO INCREASE THE NUMBER AND CAPACITY OF
23 VESSELS ABLE TO CALL ON JAXPORT PORTS; AMENDING
24 2024-504-E, THE FY 2024-2025 BUDGET ORDINANCE,
25 TO REPLACE THE REVISED SCHEDULE B4 TO CLARIFY
26 AND PARTIALLY CONSOLIDATE THE "FULTON CUT
27 CROSSING POWERLINES" AND "JAXPORT DREDGING
28 (2020-377-E)" PROJECTS; AUTHORIZING THE CITY TO
29 ENTER INTO AN AGREEMENT WITH JAXPORT AND JEA TO
30 PROVIDE THE GRANT AS FURTHER DETAILED THEREIN;
31 REQUESTING THAT THE FINANCE DEPARTMENT

1 ADMINISTER THE AGREEMENT AUTHORIZED HEREIN;
2 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
3 PROVIDING AN EFFECTIVE DATE.
4

5 **WHEREAS**, as authorized by Ordinance 2022-874-E, the City and
6 the Jacksonville Port Authority ("JAXPORT") have previously entered
7 into that certain Fulton Cut Powerlines Raising Project Funding
8 Agreement dated March 27, 2023 (the "Existing Agreement") to provide
9 partial funding to raise the Fulton Cut Powerlines that cross the St.
10 Johns River to increase the number and capacity of vessels able to
11 call on JAXPORT's ports (the "Project"); and

12 **WHEREAS**, pursuant to the Existing Agreement, the City has
13 authorized matching funding for the Project in the amount of
14 \$27,500,000, comprised of: (i) a loan to JAXPORT in the amount of
15 \$12,500,000; (ii) a grant to JAXPORT in the amount of \$10,000,000,
16 and (iii) a \$5,000,000 revolving line of credit; and

17 **WHEREAS**, since the enactment of 2022-874-E, the costs of the
18 Project have risen to \$117,000,000, inclusive of contingency amounts;
19 and

20 **WHEREAS**, JAXPORT and the City have agreed to terminate the
21 Existing Agreement and JAXPORT, JEA and the City have agreed to enter
22 into a new agreement in substantially the form placed **On File** with
23 the Legislative Services Division ("Agreement"), to provide a
24 \$34,500,000 City Grant (the "City Grant") for the Project, \$27,500,000
25 of which is funding previously authorized (\$5,000,000 of which is a
26 contingency amount in the event of cost overruns), and \$7,000,000 of
27 which is through the application of cost savings realized from the
28 JaxPort Dredging Project, for which funding was previously
29 appropriated to JAXPORT pursuant to 2020-377-E; and

30 **WHEREAS**, pursuant to the Agreement, JEA shall provide
31 \$32,500,000 to the Project, JAXPORT shall provide \$32,500,000 to the

1 Project, and the City shall provide the City Grant, and by separate
2 agreement the FDOT is funding \$22,500,000 of the Project costs, with
3 City funding to be disbursed substantially in accordance with the
4 funding schedule as set forth on Exhibit B attached to the Agreement
5 authorized hereby; and

6 **WHEREAS**, on February 24, 2025, JAXPORT approved its resolution
7 to enter into the Agreement, and on February 25, 2025, JEA approved
8 its resolution to enter into the Agreement, with said resolutions
9 being attached hereto as **Exhibits 1** and **2**, respectively; and

10 **WHEREAS**, the Project is in the public interest and will provide
11 significant economic benefits to the City and its residents by
12 providing increased economic activity and high salary jobs in the
13 City of Jacksonville and thus constitutes a valid governmental
14 undertaking of the City; now therefore

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

16 **Findings.** It is hereby ascertained, determined, found and
17 declared as follows:

18 (a) The recitals set forth herein are true and correct.

19 (b) The Project will promote and further the public and
20 municipal purposes of the City.

21 (c) Enhancement of the City's tax base and revenues are matters
22 of State and City policy and State and City concern in order that the
23 State and its counties and municipalities, including the City, shall
24 not continue to be endangered by unemployment, underemployment,
25 economic recession, poverty, crime and disease, and consume an
26 excessive proportion of the State and City revenues because of the
27 extra services required for police, fire, accident, health care,
28 elderly care, charity care, hospitalization, public housing and
29 housing assistance, and other forms of public protection, services
30 and facilities.

31 (d) The provision of the City's assistance as identified in

1 the Agreement is necessary and appropriate to make the Project
2 feasible; and the City's assistance is reasonable and not excessive,
3 taking into account the extent of the public benefits expected to be
4 derived from the Project, and taking into account all other forms of
5 assistance available.

6 (e) JEA and its contractors, on behalf of JAXPORT, are
7 qualified to carry out and complete the construction and equipping
8 of the Project.

9 (f) The authorizations provided by this Ordinance are for
10 public uses and purposes for which the City may use its powers as a
11 county, municipality and as a political subdivision of the State of
12 Florida and may expend public funds, and the necessity in the public
13 interest for the provisions herein enacted is hereby declared as a
14 matter of legislative determination.

15 (g) This Ordinance is adopted pursuant to the provisions of
16 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
17 Charter, and other applicable provisions of law.

18 **Section 2. Appropriation.** For the 2024-2025 fiscal year,
19 within the City's budget, there are hereby appropriated the indicated
20 sum(s) from the account(s) listed in subsection (a) to the account(s)
21 listed in subsection (b): (Revised B.T. 25-058 attached hereto as
22 **Revised Exhibit 3**, labeled as "Revised Exhibit 3, Rev B.T. 25-058,
23 March 17, 2025 - NCSPHS" and incorporated herein by this reference)

24 (a) Appropriated from:

25 See Revised B.T. 25-058 \$21,000,000

26 (b) Appropriated to:

27 See Revised B.T. 25-058 \$21,000,000

28 (c) Explanation of Appropriation:

29 The funding above appropriates \$3,500,000 of funding
30 previously appropriated to the Project but lapsed, and
31 reclassifies \$17,500,000 of previously appropriated City

1 funding from a loan to a City grant to JAXPORT.

2 **Section 3. Purpose.** The purpose of the appropriation in
3 Section 2 is to appropriate \$3,500,000 of funding previously
4 appropriated to the Project that lapsed, and to reclassify \$17,500,000
5 of funds previously appropriated to the Project from a loan to a City
6 grant for the Project. The City Council intends that the \$3,500,000
7 appropriated herein from General Fund Operating Reserves will be
8 replenished through an appropriation of funds in fiscal year 2025-2026
9 from the JEA contribution made annually pursuant to Section 21.07 of
10 the Jacksonville City Charter. The intended replenishment would be
11 addressed as part of the 2025-2026 fiscal year budget.

12 **Section 4. Carryover.** The funds previously appropriated to
13 the Project and appropriated pursuant to the Agreement (now or in the
14 future) authorized hereby shall not lapse but shall carryover to
15 fiscal year 2026-2027.

16 **Section 5. Amending 2024-504-E, the FY 2024-2025 Budget**
17 **Ordinance, to replace the Revised Schedule B4 to clarify and partially**
18 **consolidate the JaxPort Dredging project and the Fulton Cut Crossing**
19 **Powerlines projects.** 2024-504-E, the FY 2024-2025 Budget Ordinance,
20 is hereby amended to remove the Revised Schedule B4, entitled "FY
21 24-25 Debt Management Fund Detail," in order to consolidate the
22 Projects entitled "Fulton Cut Crossing Powerlines - JPA Credit Line
23 (2022-874)," "Fulton Cut Crossing Powerlines - JPA Grant (2022-874)",
24 and "Fulton Cut Crossing Powerlines - JPA Loan (2022-874)" and to
25 clarify the name of the "JaxPort Dredging (2020-377-E)" to reflect
26 that a portion of funding is going to Fulton Cut Crossing Powerlines
27 as set forth herein. The Second Revised Schedule B4 is attached hereto
28 as **Exhibit 4.**

29 **Section 6. Authorizing the City to enter into an Agreement**
30 **with the Jacksonville Port Authority and JEA and authorizing**
31 **Amendments to the Agreement.** The City is hereby authorized to enter

1 into an Agreement with the Jacksonville Port Authority and JEA
2 ("Agreement") substantially in the form placed **On File** with the
3 Legislative Services Division, for the purposes of providing the City
4 Grant to Jaxport to partially fund the Project. The Mayor, or her
5 designee, and the Corporation Secretary are authorized to
6 subsequently enter into amendments to the Agreement to reflect
7 additional appropriations to the Agreement made by JAXPORT and/or
8 JEA, or to increase the maximum indebtedness of the City under the
9 Agreement as a result of an appropriation of additional City funds
10 therefor by City Council.

11 **Section 7. Oversight Department.** The Finance Department
12 shall provide oversight for the Agreement authorized herein.

13 **Section 8. Requesting One Cycle Emergency Passage Pursuant**
14 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
15 legislation is requested. The nature of the emergency is that the
16 guaranteed maximum price of the contract for the Project expires on
17 April 3, 2025 and subjects the parties to the Agreement to higher
18 costs as contractors reprice their bids.

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

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23 Form Approved:

24
25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation Prepared By: John Sawyer

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