

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-617**

5 AN ORDINANCE APPROPRIATING \$4,084,269.00 FROM
6 THE ENVIRONMENTAL COMPLIANCE - COUNTYWIDE
7 ACCOUNT TO THE CONFEDERATE PARK - MGP WASTE
8 REMEDIATION ACCOUNT TO FUND ACTIVITIES
9 INVOLVED IN THE CLEANUP OF MANUFACTURED GAS
10 PLANT WASTE REQUIRED BY THE BROWNFIELD SITE
11 REHABILITATION AGREEMENT APPROVED BY ORDINANCE
12 2018-542-E, AS INITIATED BY B.T. 19-110;
13 AMENDING THE 2019-2023 FIVE-YEAR CAPITAL
14 IMPROVEMENT PROGRAM APPROVED BY ORDINANCE
15 2018-505-E TO REDUCE FUNDING FOR THE PROJECT
16 ENTITLED "ENVIRONMENTAL COMPLIANCE -
17 COUNTYWIDE" AND PROVIDE FUNDING FOR THE
18 PROJECT ENTITLED "MGP WASTE REMEDIATION";
19 PROVIDING AN EFFECTIVE DATE.
20

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

22 **Section 1. Appropriation.** For the 2018-2019 fiscal year,
23 within the City's budget, there are hereby appropriated the
24 indicated sum(s) from the account(s) listed in subsection (a) to
25 the account(s) listed in subsection (b):

26 (See B.T. 19-110 attached hereto as **Exhibit 1** and incorporated
27 herein by this reference)

28 (a) Appropriated from:

29 See B.T. 19-110 \$4,084,269.00

30 (b) Appropriated to:

31 See B.T. 19-110 \$4,084,269.00

1 (c) Explanation of appropriation

2 The funding above is a transfer of funds from the
3 Environmental Compliance - Countywide Account to the
4 Confederate Park - MGP Waste Remediation Account to fund
5 activities involved in the cleanup of manufactured gas
6 plant waste required by the Brownfield Site
7 Rehabilitation Agreement between and among the Florida
8 Department of Environmental Protection (FDEP), the City
9 of Jacksonville, Southport Financial Real Estate, LLC,
10 Jacksonville Hospitality Holdings, L.P., and Shoppes of
11 Lakeside, Inc. (BSRA).

12 **Section 2. Purpose.** The purpose of the appropriation in
13 Section 1 is to provide funding for remediation and cleanup of
14 manufactured gas plant waste located under Hogan's Creek,
15 Confederate Park, Orange Avenue, the former E. H. Thompson
16 Building, and Ocean Avenue, required by the BSRA approved by
17 Ordinance 2018-542-E. Funding will be needed until project
18 completion. However, since the remedial action has not been
19 prepared for FDEP review and approval, the project's completion and
20 maintenance costs cannot be determined at this time.

21 **Section 3. CIP Amendment.** Ordinance 2018-505-E, being the
22 2019-2023 Five-Year Capital Improvement Program for the City and
23 certain of its independent agencies, is hereby amended to reduce
24 funding for the project entitled "Environmental Compliance -
25 Countywide" and provide funding for the project entitled "MGP Waste
26 Remediation." The project is more fully described in the Project
27 Information Sheet, attached hereto as **Exhibit 2** and incorporated
28 herein by this reference. The Council finds that the deferral of
29 this amendment of the CIP until the next annual budget and CIP
30 review will be detrimental to the best interests of the community
31 because such deferral will not be in accordance with the time

1 frames for delivery of required work items listed in the BSRA.
2 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this
3 ordinance requires the affirmative vote of two-thirds of the
4 Council members present at the meeting because of the CIP amendment
5 set forth in this section. This ordinance shall constitute an
6 amendment to Ordinance 2018-505-E. In all other respects, the
7 Five-Year Capital Improvement Program approved by Ordinance 2018-
8 505-E shall continue in full force and effect.

9 **Section 4. Effective Date.** This ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ James R. McCain, Jr.

16 Office of General Counsel

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

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