Introduced by Council Member Amaro:

ORDINANCE 2026-634

AN ORDINANCE APPROVING THE ISSUANCE AND SALE BY JEA OF ITS ELECTRIC SYSTEM REVENUE BONDS AND/OR ITS ELECTRIC SYSTEM SUBORDINATED REVENUE BONDS, ITS BULK POWER SUPPLY SYSTEM REVENUE BONDS AND/OR ITS POWER PARK ISSUE THREE BONDS, IN AN AGGREGATE AMOUNT NOT-TO-EXCEED $3,900,000,000, FOR THE PURPOSE OF FINANCING THE ACQUISITION AND/OR CONSTRUCTION OF ADDITIONS, EXTENSIONS, AND IMPROVEMENTS TO THE ELECTRIC SYSTEM OF JEA OR FOR PURPOSES AUTHORIZED UNDER THE BULK POWER SUPPLY BOND RESOLUTION OR THE SECOND POWER PARK BOND RESOLUTION, OR OF REFUNDING ELECTRIC SYSTEM REVENUE BONDS, ELECTRIC SYSTEM SUBORDINATED REVENUE BONDS, BULK POWER SUPPLY SYSTEM REVENUE BONDS AND/OR POWER PARK ISSUE THREE BONDS; APPROVING THE ISSUANCE AND SALE BY JEA OF ITS WATER AND SEWER SYSTEM REVENUE BONDS AND/OR ITS WATER AND SEWER SYSTEM SUBORDINATED REVENUE BONDS, IN AN AGGREGATE AMOUNT NOT-TO-EXCEED $3,700,000,000, FOR THE PURPOSE OF FINANCING THE ACQUISITION AND/OR CONSTRUCTION OF ADDITIONS, EXTENSIONS, AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF JEA OR OF REFUNDING WATER AND SEWER SYSTEM REVENUE BONDS AND/OR WATER AND SEWER SYSTEM SUBORDINATED REVENUE BONDS; APPROVING THE ISSUANCE AND SALE BY JEA OF ITS DISTRICT ENERGY SYSTEM REVENUE BONDS IN AN

AGGREGATE AMOUNT NOT-TO-EXCEED $150,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION AND/OR CONSTRUCTION OF ADDITIONS, EXTENSIONS, AND IMPROVEMENTS TO THE DISTRICT ENERGY SYSTEM OF JEA OR OF REFUNDING DISTRICT ENERGY SYSTEM REVENUE BONDS; ENTERING INTO CERTAIN COVENANTS WITH JEA AND THE HOLDERS OF SUCH DEBT; PROVIDING THAT THE DEBT INSTRUMENTS AUTHORIZED HEREBY ARE LIMITED OBLIGATIONS OF JEA; APPROPRIATING FUNDS FROM THE SALE OF SUCH DEBT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 21.04(i) of Article 21 of Chapter 92-341, Laws of Florida, as amended, being the Charter of the City of Jacksonville (the "Charter"), authorizes JEA to issue revenue bonds or revenue certificates for the purpose of financing or refinancing JEA's utilities systems, including without limitation the financing of any one or more enlargements, expansions, developments, replacements, acquisitions or modernizations of the utilities systems, any expenses of the utilities systems, any reserves deemed necessary or desirable by JEA and any other purpose not otherwise prohibited by law, and retiring any bond, note or revenue certificate issued under said Article 21, and for any combination of one or more such purposes in any single issue of revenue bonds or revenue certificates; and

WHEREAS, Section 21.04(i) of the Charter provides that the total aggregate amount of bonds or revenue certificates that may be issued by JEA shall be within the limits prescribed by ordinance of the Council of the City of Jacksonville (the "City"); and

WHEREAS, JEA issues its Electric System Revenue Bonds pursuant to a resolution adopted by JEA on March 30, 1982, as amended (the "Electric System Senior Lien Bond Resolution"); its Electric System

Subordinated Revenue Bonds pursuant to a resolution adopted by JEA on August 16, 1988, as amended and restated on January 18, 2000, and as thereafter amended (the "Electric System Subordinated Lien Bond Resolution"); its Bulk Power Supply System Revenue Bonds pursuant to a restated and amended resolution adopted by JEA on November 18, 2008, as thereafter amended (the "Bulk Power Supply System Bond Resolution"); its Power Park Issue Three Bonds pursuant to a resolution adopted by JEA on February 20, 2007, as thereafter amended (the "Second Power Park Bond Resolution"); its Water and Sewer System Revenue Bonds pursuant to a resolution adopted by JEA on February 18, 1997, as amended and restated on March 18, 1997 and as thereafter amended (the "Water and Sewer System Senior Lien Bond Resolution"); its Water and Sewer Subordinated Revenue Bonds pursuant to a resolution adopted by JEA on May 15, 2003, as thereafter amended (the "Water and Sewer System Subordinated Lien Bond Resolution"); and its District Energy System Revenue Bonds pursuant to a resolution adopted by JEA on June 15, 2004 (the "District Energy System Bond Resolution") (the Electric System Senior Lien Bond Resolution, the Electric System Subordinated Lien Bond Resolution, the Bulk Power Supply System Bond Resolution, the Second Power Park Bond Resolution, the Water and Sewer System Senior Lien Bond Resolution, the Water and Sewer System Subordinated Lien Bond Resolution, and the District Energy System Bond Resolution are hereinafter collectively and singularly referred to as the "Bond Resolution" as applicable); and

WHEREAS, JEA hereby requests that the City Council approve the not-to-exceed limits set forth herein for each of (1) the Electric System Revenue Bonds, the Electric System Subordinated Revenue Bonds, the Bulk Power Supply System Revenue Bonds, and the Power Park Issue Three Bonds, (2) the Water and Sewer System Revenue Bonds and Water and Sewer System Subordinated Revenue Bonds, and (3) the District Energy System Revenue Bonds; and

WHEREAS, on June 30, 2026, the JEA Board of Directors authorized this action and submittal of this request to the City Council pursuant to Board Resolution No. 2026-31, a copy of which is attached hereto as **Exhibit 1**; now therefore

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

Section 1. Approval. The City Council of the City of Jacksonville does hereby approve the issuance and sale by JEA, in accordance with Section 21.04 of Article 21 of the Charter, of (a) Electric System Revenue Bonds, Electric System Subordinated Revenue Bonds, Bulk Power Supply System Revenue Bonds, and Power Park Issue Three Bonds in an aggregate amount not-to-exceed $3,900,000,000; (b) Water and Sewer System Revenue Bonds and Water and Sewer System Subordinated Revenue Bonds in an aggregate amount not-to-exceed $3,700,000,000; and (c) District Energy System Revenue Bonds in an aggregate amount not-to-exceed $150,000,000.

Such not-to-exceed amounts set forth above are for the purposes set forth in Section 21.04(i) of Article 21 of the Charter, thus approving bonds to provide funds for both new money and the refunding of existing debt. The not-to-exceed amounts set forth above shall be inclusive of existing bonds currently outstanding under each of the applicable Bond Resolutions and inclusive of funded draws made under credit facilities.

Section 2. Covenants. So long as any of the debt of JEA authorized herein shall be outstanding and unpaid, or until provision for payment of such debt shall be made in accordance with the terms thereof, the City of Jacksonville covenants with JEA and with the holders of any and all of said debt that the City will not exercise any present or future power, pursuant to law, to appropriate revenues of JEA's Electric System, Bulk Power Supply System, Water and Sewer System or District Energy System, as applicable, for the uses and purposes of the City in such a manner as to impair or affect the covenants and obligations of JEA under the applicable resolutions authorizing such debt and any such power of the City is hereby subordinated and made inferior to said covenants and obligations of JEA to and for the benefit of any and all of the holders of said debt.

Section 3. Bonds are Limited Obligations of JEA. None of the bonds approved pursuant to Section 1 of this Ordinance nor the interest thereon shall be or constitute general obligations or indebtedness of JEA, the City, the State of Florida or any other agency or political subdivision thereof as "bonds" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from and secured by the amounts and in the manner as provided in the applicable Bond Resolutions. No owner or holder of any such bond or subordinated indebtedness shall ever have the right to compel the exercise of any ad valorem taxing power to pay such bonds, subordinated indebtedness, bond anticipation notes or the other indebtedness or the Operation and Maintenance Expenses (as defined in the applicable Bond Resolutions) or be entitled to payment of such bond or subordinated indebtedness from any moneys of JEA, the City, the State of Florida or any other agency or political subdivision thereof, except from the amounts and in the manner as provided in said Bond Resolutions. Such bonds and subordinated indebtedness shall not constitute a lien upon the System (as defined in the applicable Bond Resolutions) or any other property owned by JEA, or any property owned by the City, the State of Florida or any other agency or political subdivision thereof, or any property situated within the area of operation of JEA, but shall constitute a lien only upon and shall be payable solely from the amounts and in the manner as provided in said Bond Resolutions.

Section 4. Appropriation of Funds. The Council does hereby appropriate the funds derived from the issuance and sale of the revenue bonds approved pursuant to Section 1 of this Ordinance for expenditure in accordance with the applicable Bond Resolutions.

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

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation prepared by: Kristy J. Gavin

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