

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Finance Committee:

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5 **ORDINANCE 2023-311-E**

6 AN ORDINANCE APPROPRIATING: (1) GRANT FUNDS IN
7 THE AMOUNT OF \$5,500,000 FROM THE FLORIDA
8 DEPARTMENT OF ECONOMIC OPPORTUNITY; AND (2)
9 \$2,500,000 FROM THE GENERAL FUND/FUND BALANCE,
10 TO PROVIDE FUNDING FOR THE CECIL MEGA SITE RAIL
11 SPUR PROJECT AT THE CECIL COMMERCE CENTER MEGA
12 SITE (THE "PROJECT"), AS INITIATED BY REVISED
13 B.T. 23-085; AMENDING THE 2023-2027 FIVE-YEAR
14 CAPITAL IMPROVEMENT PLAN APPROVED BY ORDINANCE
15 2022-505-E TO ADD THE PROJECT ENTITLED "CECIL
16 MEGA SITE RAIL SPUR" AND TO REFLECT THIS
17 APPROPRIATION OF FUNDS TO THE PROJECT; APPROVING
18 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
19 THE CORPORATION SECRETARY TO EXECUTE AND
20 DELIVER, FOR AND ON BEHALF OF THE CITY OF
21 JACKSONVILLE ("CITY"), A FLORIDA JOB GROWTH
22 INFRASTRUCTURE GRANT AGREEMENT WITH THE STATE OF
23 FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY;
24 REQUESTING ONE CYCLE EMERGENCY PASSAGE;
25 PROVIDING FOR OVERSIGHT BY THE OFFICE OF
26 ECONOMIC DEVELOPMENT; PROVIDING FOR AN EFFECTIVE
27 DATE.

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

30 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
31 within the City's budget, there is hereby appropriated the indicated

1 sum from the account listed in subsection (a) to the account listed
2 in subsection (b):

3 (Revised B.T. 23-085, attached hereto as **Revised Exhibit 1**, labeled
4 as "Revised Exhibit 1, Rev B.T. 23-085, May 16, 2023 - Finance" and
5 incorporated herein by this reference):

6 (a) Appropriated from:

7 See Revised B.T. 23-085 \$8,000,000

8 (b) Appropriated to:

9 See Revised B.T. 23-085 \$8,000,000

10 (c) Explanation of Appropriation:

11 The funding above represents an appropriation of a
12 \$5,500,000 grant from the State of Florida Department of
13 Economic Opportunity and \$2,500,000 from general fund/fund
14 balance for the Cecil Mega Site Rail Spur project at the
15 Cecil Commerce Center Mega Site (the "Project").

16 **Section 2. Purpose.** The purpose of the appropriation in
17 Section 1 is to provide funding for the Project. The Grant Agreement
18 authorized hereby provides \$5,500,000 of State grant funds for the
19 construction of the Project by the City, in conjunction with the
20 \$2,500,000 of City funds authorized hereby. The \$2,500,000
21 appropriation from general fund/fund balance is intended to be
22 replaced with a future appropriation by City Council with the proceeds
23 from the sale of the Cecil Commerce Center Mega Site upon the closing
24 thereof.

25 **Section 3. Capital Improvement Plan Amendment.** Ordinance
26 2022-505-E, adopting the 2023-2027 Five-Year Capital Improvement Plan
27 (the "CIP") for the City and certain of its independent agencies, is
28 hereby amended to reflect this appropriation of funds to the Project,
29 as more fully described in the Project Information Sheet attached
30 hereto as **Exhibit 2** and incorporated herein by this reference. The
31 City Council finds that the deferral of this amendment of the CIP

1 until the next annual budget and CIP review will be detrimental to
2 the best interests of the community because such deferral will
3 unnecessarily delay completion of the Project.

4 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
5 this Ordinance requires the affirmative vote of two-thirds of the
6 City Council members present at the meeting because of the CIP
7 amendment set forth in this section. This Ordinance shall constitute
8 an amendment to Ordinance 2022-505-E. In all other respects, the
9 Five-Year Capital Improvement Plan approved by Ordinance 2022-505-E
10 shall remain unchanged and continue in full force and effect.

11 **Section 4. Florida Job Growth Infrastructure Grant**
12 **Agreement Approved.** The Mayor, or his designee, and the Corporation
13 Secretary are hereby authorized to execute and deliver, for and on
14 behalf of the City, the Florida Job Growth Infrastructure Grant
15 Agreement (the "Grant Agreement") substantially in the form placed
16 **On File** with the Office of Legislative Services (with such "technical"
17 changes as herein authorized), for the purpose of implementing the
18 recommendations of the OED.

19 The Grant Agreement may include such additions, deletions, and
20 changes as may be reasonable, necessary, and incidental for carrying
21 out the purposes thereof, as may be acceptable to the Mayor or his
22 designee, with such inclusion and acceptance being evidenced by
23 execution of the Grant Agreement by the Mayor or his designee. No
24 modification of the Grant Agreement may increase the financial
25 obligations or the liability of the City and any such modification
26 shall be technical only and shall be subject to appropriate legal
27 review and approval of the General Counsel or his or her designee and
28 all other appropriate action required by law. "Technical" is herein
29 defined as including, but not limited to, changes in legal
30 descriptions and surveys, descriptions of infrastructure improvements
31 and/or any road project, ingress and egress, easements and rights of

1 way, design standards, access and site plans which have no financial
2 impact.

3 **Section 5. Requesting One Cycle Emergency Passage Pursuant**
4 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
5 legislation is requested. The nature of the emergency is that the
6 funding authorized hereby relates to a redevelopment agreement for
7 the development of an approximately 330 acre portion of the Mega Site
8 at Cecil Commerce Center that is the subject of separate legislation,
9 and one cycle passage of this legislation will allow the Council to
10 authorize the entire project and the funding therefor in the same
11 time frame to avoid any unnecessary delays.

12 **Section 6. Oversight.** The Office of Economic Development
13 shall oversee administration of the grant and project described
14 herein.

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

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19 Form Approved:

20
21 /s/ Mary E. Staffopoulos

22 Office of General Counsel

23 Legislation Prepared By: John Sawyer

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