

1 Introduced by Council Member Howland:
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4 **ORDINANCE 2023-401**

5 AN ORDINANCE APPROPRIATING \$75,000.00 FROM A
6 FLORIDA INLAND NAVIGATION DISTRICT (FIND)
7 PROJECT FOR REED ISLAND TO PROVIDE FUNDING FOR
8 INFORMATIONAL SIGNAGE TO WARN BOATERS OF
9 SHOALING AREA; PROVIDING FOR DESIGN AND
10 IMPLEMENTATION; PROVIDING FOR OVERSIGHT;
11 AMENDING THE 2023-2027 FIVE-YEAR CAPITAL
12 IMPROVEMENT PLAN APPROVED BY ORDINANCE
13 2022-505-E TO REFLECT THE REDUCTION IN FUNDING
14 FOR THE PROJECT ENTITLED FIND REED ISLAND;
15 PROVIDING FOR CARRYOVER; PROVIDING AN EFFECTIVE
16 DATE.
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18 **WHEREAS**, from the mouth of Clapboard Creek southeastward
19 toward the main channel of the St. Johns River, a sandbar or shoal
20 ("shoal") has developed; and

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

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

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

31 **WHEREAS**, the Jacksonville Waterways Commission finds that

1 warning signs placed in the shoaling area are necessary for the
2 protection of the citizens; and

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

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

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

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

17 (a) Appropriated from:

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

19 (b) Appropriated to:

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

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

29 **Section 2. Purpose.** The purpose of the appropriation in
30 Section 1 is to permit, construct or purchase, and install signs
31 notifying the boating public of the shoal that has developed in the

1 area around the mouth of Clapboard Creek southeastward toward the
2 main channel of the St. Johns River. Any funds not utilized for this
3 purpose shall be returned to the source of funding.

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

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

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

28 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
29 this Ordinance requires the affirmative vote of two-thirds of the
30 City Council members present at the meeting because of the CIP
31 amendment set forth in this section. This Ordinance shall constitute

