

1 Introduced by the Council President at the request of the Mayor and
2 Co-Introduced by Council Members Salem, White, Gay and Miller and
3 amended by the Neighborhoods, Community Services, Public Health and
4 Safety Committee:
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7 **ORDINANCE 2023-767-E**

8 AN ORDINANCE MAKING CERTAIN FINDINGS AND
9 APPROPRIATING \$3,979,060 FROM THE MARINE FIRE
10 STATION #68 PROJECT AND \$2,000,000 FROM THE FIRE
11 STATION #48 - NEW CONSTRUCTION PROJECT TO
12 PROVIDE A CONTRIBUTION OF \$5,979,060 TO THE
13 JACKSONVILLE PORT AUTHORITY ("JAXPORT") TO
14 PROVIDE MATCHING FUNDING FOR A FEDERAL GRANT
15 RECEIVED BY JAXPORT TO DESIGN, ENGINEER, AND
16 CONSTRUCT A NEW FIRE STATION #48 AT BLOUNT
17 ISLAND, AS INITIATED BY B.T. 24-015; AMENDING
18 THE 2024-2028 FIVE-YEAR CAPITAL IMPROVEMENT PLAN
19 APPROVED BY ORDINANCE 2023-505-E TO REFLECT THE
20 APPROPRIATION OF FUNDS AUTHORIZED HEREIN;
21 AMENDING ORDINANCE 2023-504-E, THE FISCAL YEAR
22 2023-2024 BUDGET ORDINANCE, TO REPLACE REVISED
23 SCHEDULE B4, THE FY 23-24 DEBT MANAGEMENT FUND
24 DETAIL, AND REVISED SCHEDULE B4-B, THE FY 23-24
25 CAPITAL IMPROVEMENT PROJECTS FUNDED VIA
26 BORROWING, TO REFLECT THE APPROPRIATION OF FUNDS
27 AUTHORIZED HEREIN; PROVIDING FOR A CARRYOVER OF
28 FUNDS TO FISCAL YEAR 2024-2025; AUTHORIZING THE
29 CITY TO ENTER INTO A FUNDING AGREEMENT WITH
30 JAXPORT AS FURTHER DETAILED THEREIN ("FUNDING
31 AGREEMENT"); AUTHORIZING THE CITY TO ENTER INTO

1 A LEASE AGREEMENT WITH JAXPORT FOR THE NEW FIRE
2 STATION #48 FOR AN INITIAL TERM OF 30 YEARS AT
3 A RATE OF \$1 PER YEAR ("LEASE AGREEMENT");
4 PROVIDING FOR OVERSIGHT BY THE FINANCE AND
5 ADMINISTRATION DEPARTMENT AS TO THE FUNDING
6 AGREEMENT; PROVIDING FOR OVERSIGHT BY THE
7 JACKSONVILLE FIRE AND RESCUE DEPARTMENT ("JFRD")
8 AS TO THE LEASE AGREEMENT; PROVIDING AN
9 EFFECTIVE DATE.

10
11 **WHEREAS**, originally built in 1978, Fire Station #48 at Blount
12 Island can no longer safely accommodate the number of firefighters
13 needed to staff the assigned fire and rescue apparatus based there;
14 and

15 **WHEREAS**, in addition, there is inadequate bay space for the
16 foam tanker at Fire Station #48, and it is subject to flooding, and
17 lacks provision for female firefighters; and

18 **WHEREAS**, JAXPORT has secured \$5,979,060 in federal grant
19 funding from the Department of Defense for the construction of a new
20 Fire Station #48 (the "Project") to serve the port, military and
21 surrounding residential community near Blount Island due to the port's
22 unique classification as a "Port of Strategic Significance"; and

23 **WHEREAS**, JAXPORT has requested and the City has agreed to
24 provide \$5,979,060 in funding as a local match for the Project which
25 JAXPORT will design, engineer, and construct; and

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

27 **Section 1. Findings.** It is hereby ascertained, determined,
28 found, and declared as follows:

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

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

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

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

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

16 **Section 2. Appropriation.** For the 2023-2024 fiscal year,
17 within the City's budget, there are hereby appropriated and
18 transferred, as applicable, the indicated sum(s) from the account(s)
19 listed in subsection (a) to the account(s) listed in subsection (b):
20 (B.T. 24-015 is attached hereto as **Exhibit 1** and incorporated herein
21 by this reference)

22 (a) Appropriated from:

23 See attached **Exhibit 1** \$5,979,060

24 (b) Appropriated to:

25 See attached **Exhibit 1** \$5,979,060

26 (c) **Explanation of Appropriation and Transfer:**

27 The funding above represents an appropriation of \$3,979,060
28 from the CIP Project entitled "Marine Fire Station #68"
29 and \$2,000,000 from the CIP Project entitled "Fire Station
30 #48 - New Construction" to provide a contribution of
31 \$5,979,060 to JAXPORT to provide matching funding for a

1 federal grant awarded to JAXPORT to construct the Project.

2 **Section 3. Purpose.** The purpose of the appropriation in
3 Section 1 is to timely provide matching funding of \$5,979,060 to
4 JAXPORT so JAXPORT can proceed with design, engineering and
5 construction of the Project which, when completed, will be leased to
6 JFRD for \$1 a year for an initial term of 30 years.

7 **Section 4. Capital Improvement Plan Amendment.** Ordinance
8 2023-505-E, adopting the 2024-2028 Five-Year Capital Improvement Plan
9 (the "CIP") for the City and certain of its independent agencies, is
10 hereby amended to reflect the reduction of funding within the Marine
11 Fire Station #68 and Fire Station #48 - New Construction projects as
12 more fully described in the Project Information Sheet attached hereto
13 as **Revised Exhibit 2**, labeled as "Revised Exhibit 2, Rev CIP Sheets
14 November 20, 2023 - NCSPHS" and incorporated herein by this reference.
15 The City Council finds that the deferral of this amendment of the CIP
16 until the next annual budget and CIP review will be detrimental to
17 the best interests of the community because such deferral will result
18 in unnecessary delay of the Project and loss of grant funding for the
19 Project.

20 Pursuant to Section 122.605(c), *Ordinance Code*, enactment of
21 this Ordinance requires the affirmative vote of two-thirds of the
22 City Council members present at the meeting because of the CIP
23 amendment set forth in this section. This Ordinance shall constitute
24 an amendment to Ordinance 2023-505-E. In all other respects, the CIP
25 approved by Ordinance 2023-505-E shall remain unchanged and continue
26 in full force and effect.

27 **Section 5. Amending 2023-504-E, the FY 2023-2024 Budget**
28 **Ordinance, to replace Revised Schedule B4 and Revised Schedule B4-b**
29 **to provide funding to JAXPORT for the Project.** 2023-504-E, the FY
30 2023-2024 Budget Ordinance, is hereby amended to replace Revised
31 Schedule B4, entitled "FY 23-24 Debt Management Fund Detail", and

1 Revised Schedule B4-b, entitled "FY 23-24 Capital Improvement
2 Projects Funded via Borrowing", to reflect the contribution of
3 \$5,979,060 to JAXPORT for the Project and reduce the borrowing for
4 Capital Improvement Projects. The Second Revised Schedule B4 and
5 Second Revised Schedule B4-b are attached hereto as **Revised Exhibit**
6 **4**, labeled as "Revised Exhibit 4, 2nd Rev Scheds B4 & B4-b, November
7 20, 2023 - NCSPHS".

8 **Section 6. Carryover.** The funds appropriated by this
9 Ordinance shall not lapse but shall carryover to fiscal year 2024-
10 2025.

11 **Section 7. Authorizing the Mayor to enter into a Funding**
12 **Agreement and Lease Agreement with the Jacksonville Port Authority.**
13 The Mayor, or her designee, is hereby authorized to negotiate and
14 enter into a Funding Agreement and Lease Agreement with JAXPORT
15 substantially in accordance with the term sheet attached hereto as
16 **Exhibit 3** for the purposes of funding the Project.

17 **Section 8. Oversight Department.** The Finance and
18 Administration Department shall provide oversight for the Funding
19 Agreement authorized herein. JFRD shall provide oversight for the
20 Lease Agreement authorized herein.

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

24
25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Harry M. Wilson, IV

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