

1 Introduced by the Council President at the Request of the Mayor and
2 amended by the Finance Committee and amended on the Floor of
3 Council:

4
5
6 **ORDINANCE 2019-505-E**

7 AN ORDINANCE ADOPTING THE FISCAL YEARS 2020-2024
8 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"),
9 AS REQUIRED BY PART 6, CHAPTER 122, *ORDINANCE*
10 *CODE*; PROVIDING FOR 2020 CIP SPECIFICITY
11 REQUIREMENTS; DIRECTING REVISIONS AND UPDATING OF
12 THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030
13 COMPREHENSIVE PLAN, AS REQUIRED BY SECTION
14 163.3177, *FLORIDA STATUTES*; WAIVING SECTION
15 122.602 (A) (DEFINITIONS), *ORDINANCE CODE*;
16 PROVIDING FOR COMPLIANCE WITH SECTION 106.309
17 (CAPITAL IMPROVEMENT APPROPRIATIONS CARRIED OVER)
18 AND SECTION 106.312 (LAPSE OF APPROPRIATIONS),
19 *ORDINANCE CODE*; PROVIDING FOR DECLARATION OF
20 INTENT TO REIMBURSE; PROVIDING FOR RECONCILIATION
21 OF SCHEDULES, TEXT, CODIFICATION, JOURNAL
22 ENTRIES; PROVIDING AN EFFECTIVE DATE.

23
24 **WHEREAS**, pursuant to Part 6, Chapter 122, *Ordinance Code*, the
25 Department of Finance and Administration, the Department of
26 Planning and Development and the Department of Public Works have
27 met with all departments, agencies and commissions of the City to
28 develop, and have developed, a Capital Improvement Plan ("CIP") for
29 fiscal years 2020-2024 inclusive; and

30 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*,

1 the Council adopted the 2030 Comprehensive Plan, which contains the
2 numerous elements required by Section 163.3177, *Florida Statutes*,
3 including a Capital Improvements Element designed to consider the
4 need for and location of public facilities in order to encourage
5 efficient utilization of such facilities and setting forth
6 estimated public facility costs, including a delineation of when
7 public facilities will be needed, the general location of the
8 facilities and projected revenue sources to fund the facilities;
9 and

10 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires that the
11 Capital Improvements Element be reviewed, revised and updated
12 annually; and

13 **WHEREAS**, the Capital Improvements Element requires that the
14 CIP be prepared in conjunction with the annual review and update of
15 the Capital Improvements Element, and further requires that the CIP
16 contain all of the projects listed in the Schedule of Capital
17 Improvements, which is a part of the Capital Improvements Element;
18 and

19 **WHEREAS**, the Council has reviewed the CIP and the Capital
20 Improvements Element; now, therefore

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

22 **Section 1. Fiscal Years 2020-2024 Capital Improvement**
23 **Plan Adopted.** The fiscal years 2020-2024 Capital Improvement Plan,
24 including a Schedule of Capital Improvements (attached hereto as
25 **Second Revised Exhibit 1**, and incorporated herein by this
26 reference), are hereby adopted for the City and its independent
27 agencies for the 2019-2020 fiscal year. There shall be included in
28 the annual budgets of the City and its independent agencies
29 sufficient appropriations to implement the first year of the plan.
30 By October 24, 2019 or one month after the enacted date of this
31 legislation, whichever is later, the Department of Finance and

1 Administration shall provide the Fiscal Years 2020-2024 revised
2 adopted Capital Improvement Plan inclusive of the detailed
3 description of the scope of each project included therein to all
4 Council Members with a copy to Legislative Services to be placed in
5 the file.

6 **Section 2. 2020 Capital Improvement Plan Specificity**
7 **Requirements.** Notwithstanding anything herein, no funds shall be
8 expended on a Capital Improvement Project (as defined by Sec.
9 122.602(a)), which may have been line-item approved in a Capital
10 Improvement Plan, without specific reference to precise locations
11 of work, narrowly defined project costs, or narrowly defined work
12 descriptions, unless and until such expenditures and an amendment
13 to the Capital Improvement Plan identifying precise locations of
14 work, narrowly defined project costs, and narrowly defined work
15 descriptions are separately approved by City Council.

16 **Section 3. The Capital Improvements Element of the 2030**
17 **Comprehensive Plan Revised and Updated.** The Capital Improvements
18 Element of the 2030 Comprehensive Plan shall be revised to reflect
19 the Schedule of Capital Improvements adopted hereinabove as part of
20 the CIP in the next available update of the 2030 Comprehensive
21 Plan, in accordance with Section 163.3177, *Florida Statutes*.

22 **Section 4. Waiver of Section 122.602(a) (Definitions),**
23 **Ordinance Code.** Waiving Conflicting Provisions Section 122.602(a)
24 (Definitions), *Ordinance Code*, excluding routine roadway
25 resurfacing from the definition of Capital Improvement to allow
26 roadway resurfacing for the 2019/2020 Fiscal Year.

27 **Section 5. Compliance with Section 106.309 (Capital**
28 **improvement appropriations carried over) and Section 106.312 (Lapse**
29 **of appropriations), Ordinance Code, and further verification.** In
30 accordance with Sections 106.309 and 106.312, the Budget Office
31 provided a list of Capital Improvement Projects Not Lapsed which

1 itemizes the budget, encumbrances, remaining balances from prior
2 years' appropriation, which is attached hereto as **Exhibit 2**, dated
3 July 9, 2019.

4 **Section 6. Declaration of intent to reimburse.** The City of
5 Jacksonville, Florida (the "City") expects to incur expenses for
6 which the City will advance internal funds in order to fund the
7 construction, acquisition, improvement, and equipping of certain
8 capital improvements more specifically described on **Second Revised**
9 **Exhibit 1** (the "FY 19-20 Projects"). The City intends to reimburse
10 itself for all or a portion of such expenses from the proceeds of
11 debt to be incurred by the City. The City hereby declares its
12 official intent to reimburse itself from the proceeds of debt to be
13 incurred by the City for expenses incurred with respect to the FY
14 19-20 Projects subsequent to the date of this Ordinance. This
15 Ordinance is intended as a declaration of official intent under
16 Treasury Regulation Section 1.150-2. The debt to be issued to
17 finance the FY 19-20 Projects is expected not to exceed an
18 aggregate principal amount of \$117,249,674 net project funds. The
19 Mayor, the Corporation Secretary, the Chief Financial Officer, the
20 General Counsel and such other officers and employees of the City
21 as may be designated by the Mayor are authorized and empowered,
22 collectively and individually, to take all action and steps and to
23 execute all instruments, documents and contracts on behalf of the
24 City that are necessary to carry out the purposes of this
25 Ordinance.

26 **Section 7. Reconciliation of schedules, text,**
27 **codification, journal entries.** The Office of General Counsel and
28 the Council Auditor's Office are authorized to make all changes to
29 titles, tables of content, Ordinance Code, journal entries,
30 schedules, attachments, editorial and text changes consistent with
31 the changes set forth herein to effectuate the Council's action.

1 **Section 8. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

4

5 Form Approved:

6

7 /s/ *Margaret M. Sidman*

8 Office of General Counsel

9 Legislation Prepared By: Margaret M. Sidman

10 GC-#1306622-v1-2019-505-E.doc