

1 Introduced by the Council President at the Request of the Mayor:  
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4 **ORDINANCE 2020-505**

5 AN ORDINANCE ADOPTING THE FISCAL YEARS 2021-2025  
6 INCLUSIVE CAPITAL IMPROVEMENT PLAN (THE "CIP"), AS  
7 REQUIRED BY PART 6, CHAPTER 122, *ORDINANCE CODE*;  
8 PROVIDING FOR 2021 CIP SPECIFICITY REQUIREMENTS;  
9 DIRECTING REVISIONS AND UPDATING OF THE CAPITAL  
10 IMPROVEMENTS ELEMENT OF THE 2030 COMPREHENSIVE  
11 PLAN, AS REQUIRED BY SECTION 163.3177, *FLORIDA*  
12 *STATUTES*; WAIVING SECTION 122.602(A)  
13 (DEFINITIONS), *ORDINANCE CODE*; PROVIDING FOR  
14 COMPLIANCE WITH SECTION 106.309 (CAPITAL  
15 IMPROVEMENT APPROPRIATIONS CARRIED OVER) AND  
16 SECTION 106.312 (LAPSE OF APPROPRIATIONS),  
17 *ORDINANCE CODE*; PROVIDING FOR DECLARATION OF INTENT  
18 TO REIMBURSE; PROVIDING FOR RECONCILIATION OF  
19 SCHEDULES, TEXT, CODIFICATION, JOURNAL ENTRIES;  
20 PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS**, pursuant to Part 6, Chapter 122, *Ordinance Code*, the  
23 Department of Finance and Administration, the Department of Planning  
24 and Development and the Department of Public Works have met with all  
25 departments, agencies and commissions of the City to develop, and  
26 have developed, a Capital Improvement Plan ("CIP") for fiscal years  
27 2021-2025 inclusive; and

28 **WHEREAS**, pursuant to Chapter 163, Part II, *Florida Statutes*, the  
29 Council adopted the 2030 Comprehensive Plan, which contains the  
30 numerous elements required by Section 163.3177, *Florida Statutes*,  
31 including a Capital Improvements Element designed to consider the

1 need for and location of public facilities in order to encourage  
2 efficient utilization of such facilities and setting forth estimated  
3 public facility costs, including a delineation of when public  
4 facilities will be needed, the general location of the facilities and  
5 projected revenue sources to fund the facilities; and

6 **WHEREAS**, Section 163.3177, *Florida Statutes*, requires that the  
7 Capital Improvements Element be reviewed, revised and updated  
8 annually; and

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

15 **WHEREAS**, the Council has reviewed the CIP and the Capital  
16 Improvements Element; now, therefore

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

18 **Section 1. Fiscal Years 2021-2025 Capital Improvement Plan**  
19 **Adopted.** The fiscal years 2021-2025 Capital Improvement Plan,  
20 including a Schedule of Capital Improvements (attached hereto as  
21 **Exhibit 1**, and incorporated herein by this reference), are hereby  
22 adopted for the City and its independent agencies for the 2020-2021  
23 fiscal year. There shall be included in the annual budgets of the  
24 City and its independent agencies sufficient appropriations to  
25 implement the first year of the plan. By October 24, 2020 or one  
26 month after the enacted date of this legislation, whichever is later,  
27 the Department of Finance and Administration shall provide the Fiscal  
28 Years 2021-2025 revised adopted Capital Improvement Plan inclusive  
29 of the detailed description of the scope of each project included  
30 therein to all Council Members with a copy to Legislative Services  
31 to be placed in the file.

1           **Section 2.           2021 Capital Improvement Plan Specificity**  
2 **Requirements.** Notwithstanding anything herein, no funds shall be  
3 expended on a Capital Improvement Project (as defined by Sec.  
4 122.602(a)), which may have been line-item approved in a Capital  
5 Improvement Plan, without specific reference to precise locations of  
6 work, narrowly defined project costs, or narrowly defined work  
7 descriptions, unless and until such expenditures and an amendment to  
8 the Capital Improvement Plan identifying precise locations of work,  
9 narrowly defined project costs, and narrowly defined work  
10 descriptions are separately approved by City Council.

11           **Section 3.           The Capital Improvements Element of the 2030**  
12 **Comprehensive Plan Revised and Updated.** The Capital Improvements  
13 Element of the 2030 Comprehensive Plan shall be revised to reflect  
14 the Schedule of Capital Improvements adopted hereinabove as part of  
15 the CIP in the next available update of the 2030 Comprehensive Plan,  
16 in accordance with Section 163.3177, *Florida Statutes*.

17           **Section 4.           Waiver of Section 122.602(a) (Definitions),**  
18 **Ordinance Code.** Waiving Conflicting Provisions Section 122.602(a)  
19 (Definitions), *Ordinance Code*, excluding routine roadway resurfacing  
20 from the definition of Capital Improvement to allow roadway  
21 resurfacing for the 2020/2021 Fiscal Year.

22           **Section 5.           Compliance with Section 106.309 (Capital**  
23 **improvement appropriations carried over) and Section 106.312 (Lapse**  
24 **of appropriations), Ordinance Code, and further verification.** In  
25 accordance with Sections 106.309 and 106.312, the Budget Office  
26 provided a list of Capital Improvement Projects Not Lapsed which  
27 itemizes the budget, encumbrances, remaining balances from prior  
28 years' appropriation, which is attached hereto as **Exhibit 2**, dated  
29 July 11, 2020.

30           **Section 6.           Declaration of intent to reimburse.** The City of  
31 Jacksonville, Florida (the "City") expects to incur expenses for

1 which the City will advance internal funds in order to fund the  
2 construction, acquisition, improvement, and equipping of certain  
3 capital improvements more specifically described on **Exhibit 1** (the  
4 "FY 19-20 Projects"). The City intends to reimburse itself for all  
5 or a portion of such expenses from the proceeds of debt to be incurred  
6 by the City. The City hereby declares its official intent to reimburse  
7 itself from the proceeds of debt to be incurred by the City for  
8 expenses incurred with respect to the FY 20-21 Projects subsequent  
9 to the date of this Ordinance. This Ordinance is intended as a  
10 declaration of official intent under Treasury Regulation Section  
11 1.150-2. The debt to be issued to finance the FY 20-21 Projects is  
12 expected not to exceed an aggregate principal amount of \$194,178,808  
13 net project funds. The Mayor, the Corporation Secretary, the Chief  
14 Financial Officer, the General Counsel and such other officers and  
15 employees of the City as may be designated by the Mayor are authorized  
16 and empowered, collectively and individually, to take all action and  
17 steps and to execute all instruments, documents and contracts on  
18 behalf of the City that are necessary to carry out the purposes of  
19 this Ordinance.

20 **Section 7. Reconciliation of schedules, text,**  
21 **codification, journal entries.** The Office of General Counsel and the  
22 Council Auditor's Office are authorized to make all changes to titles,  
23 tables of content, Ordinance Code, journal entries, schedules,  
24 attachments, editorial and text changes consistent with the changes  
25 set forth herein to effectuate the Council's action.

26 **Section 8. Effective Date.** This Ordinance shall become  
27 effective upon signature by the Mayor or upon becoming effective  
28 without the Mayor's signature.

1 Form Approved:

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3 /s/ Margaret M. Sidman

4 Office of General Counsel

5 Legislation Prepared By: Margaret M. Sidman

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