

1 Introduced by the Council President at the request of the Mayor and
2 by Council Vice President Newby, and Council Members Pittman and
3 Priestly Jackson:
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6 **ORDINANCE 2021-118**

7 AN ORDINANCE APPROPRIATING \$14,384,362 OF CITY
8 FUNDS AND \$12,500,000 OF JEA FUNDS TO PROVIDE
9 FUNDING FOR THE CHRISTOBEL NEIGHBORHOOD SEPTIC
10 TANK PHASE OUT PROJECT AS INITIATED BY B.T.
11 21-053; PURPOSE OF APPROPRIATION; PROVIDING A
12 CARRYOVER OF FUNDS FROM YEAR TO YEAR UNTIL
13 SUCH FUNDS ARE EXPENDED OR LAPSE ACCORDING TO
14 THE AGREEMENT; AMENDING 2020-504-E, THE FY
15 2021 BUDGET ORDINANCE, TO REPLACE SCHEDULE B4,
16 THE FY 2020-2021 CAPITAL IMPROVEMENTS PROJECTS
17 FUNDED VIA BORROWING, TO AUTHORIZE THE
18 BORROWING AND/OR THE ISSUANCE OF DEBT FOR THE
19 WATER/WASTEWATER SYSTEM FUND PROJECT; AMENDING
20 THE 2021-2025 FIVE-YEAR CAPITAL IMPROVEMENT
21 PROGRAM APPROVED BY ORDINANCE 2020-505-E TO
22 ADD THE PROJECT ENTITLED "WATER/WASTEWATER
23 SYSTEM FUND"; AUTHORIZING THE MAYOR, OR HIS
24 DESIGNEE, AND CORPORATION SECRETARY TO EXECUTE
25 AND DELIVER A SECOND AMENDMENT ("AMENDMENT")
26 TO THE INTERAGENCY AGREEMENT BETWEEN THE CITY
27 OF JACKSONVILLE AND JEA DATED MARCH 22, 2016;
28 PROVIDING FOR CONSTRUCTION; PROVIDING AN
29 EFFECTIVE DATE.
30

1 **WHEREAS**, the City and JEA have previously entered into that
2 certain Interagency Agreement dated March 22, 2016, as authorized
3 by 2015-764-E, as amended by that certain First Amendment to
4 Interagency Agreement dated February 28, 2019, as authorized by
5 2018-747-E (collectively, the "Agreement"), to provide funding in
6 part for City water and sewer projects as set forth in the
7 Agreement and as codified in Chapter 751, *Ordinance Code*; and

8 **WHEREAS**, the City and JEA desire to amend the Agreement to
9 provide for an additional, one-time contribution in the 2020-2021
10 fiscal year by the JEA to the City in the amount of \$12,500,000,
11 with a one-time, City contribution in the 2020-2021 fiscal year in
12 the amount of \$14,384,362, to provide funding for the Christobel
13 neighborhood Septic Tank Phase-Out ("Project") as promulgated
14 pursuant to Chapter 751.106, *Ordinance Code*; now therefore

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

16 **Section 1. Recitals.** The recitals above are true and
17 correct and incorporated herein by reference.

18 **Section 2. Appropriation.** For the 2020-2021 fiscal year,
19 within the City's budget, there are hereby appropriated the
20 indicated sum(s) from the account(s) listed in subsection (a) to
21 the account(s) listed in subsection (b):

22 (Revised B.T. 21-053 attached hereto as **Exhibit 1** and incorporated
23 herein)

24 (a) Appropriated from:

25 See Revised B.T. 21-053 \$26,884,362

26 (b) Appropriated to:

27 See Revised B.T. 21-053 \$26,884,362

28 (c) Explanation of Appropriation

29 The appropriation authorizes the borrowing of \$14,384,362
30 from the City's Commercial Paper Facility and/or the
31 issuance of debt in the cumulative, maximum amount of

1 \$14,384,362, and accepting the \$12,500,000 in funding
2 from the JEA, and appropriates the funds to the
3 designated area identified as the Christobel neighborhood
4 as set forth on the Septic Tank Phase-Out Prioritization
5 List as promulgated pursuant to Section 751.106,
6 *Ordinance Code*.

7 **Section 3. Purpose.** The purpose of the appropriation in
8 Section 2 is to contribute funding to the Project in the maximum,
9 cumulative amount of \$26,884,362, all as set forth on the Revised
10 Schedule B4 and Revised Schedule B4B, attached hereto as **Exhibit 2**
11 and **Exhibit 3**, respectively, and incorporated herein.

12 **Section 4. Carryover.** The funds appropriated herein shall
13 not lapse but shall carryover as appropriated from year to year
14 until such funds are expended or lapse according to the terms of
15 the Amendment.

16 **Section 5. Amending 2020-504-E, the FY 2020-2021 Budget**
17 **Ordinance, to replace Schedule B4 to allow for the**
18 **"Water/Wastewater System Fund" Project.** 2020-504-E, the FY 2020-
19 2021 Budget Ordinance, is hereby amended to replace Schedule B4
20 Capital Improvement Projects Funded Via Borrowing to add the City
21 Sewer Phase Out Project for the Christobel neighborhood
22 improvements thereto. The Revised Schedule B4 is attached hereto as
23 **Exhibit 2** and the Revised Schedule B4B is attached hereto as
24 **Exhibit 3**.

25 **Section 6. CIP Amendment.** Ordinance 2020-505-E, being
26 the 2021-2025 Five-Year Capital Improvement Program for the City
27 and certain of its independent agencies ("CIP"), is hereby amended
28 to add the project entitled "Water/Wastewater System Fund"
29 ("Project"). The Project is more fully described in the Project
30 Information Sheet attached hereto as **Exhibit 4** and incorporated
31 herein. The Council finds that the deferral of this amendment of

1 the CIP until the next annual budget and CIP review will be
2 detrimental to the best interests of the community because such
3 deferral will result in delays in implementing the Christobel
4 neighborhood septic phase-out program. Pursuant to Section
5 122.605(c), *Ordinance Code*, enactment of this ordinance requires
6 approval by a two-thirds vote of the Council members present at the
7 meeting because of the CIP amendment set forth in this section.
8 Except as amended herein, the Five-Year Capital Improvement Program
9 approved by Ordinance 2020-505-E shall continue in full force and
10 effect.

11 **Section 7. Authorizing the Borrowing and Appropriation of**
12 **Funds.** The City is hereby authorized to borrow under its
13 Commercial Paper Program and/or issue fixed-rate debt in the
14 cumulative, maximum amount of \$14,384,362 and such funds are hereby
15 appropriated to fund the Project. The authorization set forth in
16 this Section is subject to the requirements and prerequisites of
17 the Commercial Paper Program and/or bond programs.

18 **Section 8. Second Amendment to Interagency Agreement**
19 **approved and execution authorized.** The Second Amendment to the
20 March 22, 2016 Interagency Agreement by and between the City of
21 Jacksonville and JEA (the "Amendment") sets forth the collective
22 understanding and agreement of the City and JEA regarding an
23 additional, one-time JEA contribution in 2020-2021 fiscal year of
24 \$12,500,000 from JEA to the City, and a one-time, additional City
25 Contribution of \$14,384,362 for the project authorized in the
26 Amendment, and continued cooperative efforts and responsibilities
27 regarding City sewer projects, is hereby approved. The Mayor, or
28 his designee, and the Corporation Secretary are hereby authorized
29 to execute and deliver, for and on behalf of the City, the
30 Amendment, in substantially the form as attached hereto as **Exhibit**
31 **5** and incorporated herein by this reference.

1 **Section 9. Providing for construction.** The provisions of
2 this Ordinance shall be construed in such a manner to affect its
3 purposes and shall be deemed cumulative, supplemental and
4 alternative for the exercise of the powers provided herein.

5 **Section 10. Effective Date.** This Ordinance shall
6 become effective upon signature by the Mayor or upon becoming
7 effective without the Mayor's signature.

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9 Form Approved:

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11 /s/ John Sawyer

12 Office of General Counsel

13 Legislation Prepared by: John Sawyer

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