

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 & Co-Sponsored by Council Members Ferraro, Bowman,
4 Salem, Carlucci, DeFoor, Morgan, Dennis, Hazouri, Becton, White,
5 Freeman and Gaffney and amended by the Neighborhoods, Community
6 Services, Public Health & Safety Committee:

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9 **ORDINANCE 2021-118-E**

10 AN ORDINANCE APPROPRIATING \$14,384,362 OF CITY
11 FUNDS AND \$12,500,000 OF JEA FUNDS TO PROVIDE
12 FUNDING FOR THE CHRISTOBEL NEIGHBORHOOD SEPTIC
13 TANK PHASE OUT PROJECT AS INITIATED BY REVISED
14 B.T. 21-053; PURPOSE OF APPROPRIATION;
15 PROVIDING A CARRYOVER OF FUNDS FROM YEAR TO
16 YEAR UNTIL SUCH FUNDS ARE EXPENDED OR LAPSE
17 ACCORDING TO THE AGREEMENT; AMENDING 2020-504-
18 E, THE FY 2021 BUDGET ORDINANCE, TO REPLACE
19 SCHEDULE B4 THE FY 20-21 DEBT MANAGEMENT FUND
20 DETAIL AND SCHEDULE B4B, THE FY 2020-2021
21 CAPITAL IMPROVEMENTS PROJECTS FUNDED VIA
22 BORROWING, TO AUTHORIZE THE BORROWING AND/OR
23 THE ISSUANCE OF DEBT FOR THE WATER/WASTEWATER
24 SYSTEM FUND PROJECT; AMENDING THE 2021-2025
25 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM APPROVED
26 BY ORDINANCE 2020-505-E TO AMEND THE PROJECT
27 ENTITLED "WATER/WASTEWATER SYSTEM FUND";
28 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
29 CORPORATION SECRETARY TO EXECUTE AND DELIVER A
30 SECOND AMENDMENT ("AMENDMENT") TO THE

1 INTERAGENCY AGREEMENT BETWEEN THE CITY OF
2 JACKSONVILLE AND JEA DATED MARCH 22, 2016;
3 PROVIDING FOR CONSTRUCTION; PROVIDING AN
4 EFFECTIVE DATE.

5 **WHEREAS**, the City and JEA have previously entered into that
6 certain Interagency Agreement dated March 22, 2016, as authorized
7 by 2015-764-E, as amended by that certain First Amendment to
8 Interagency Agreement dated February 28, 2019, as authorized by
9 2018-747-E (collectively, the "Agreement"), to provide funding in
10 part for City water and sewer projects as set forth in the
11 Agreement and as codified in Chapter 751, *Ordinance Code*; and

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

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

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

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

26 (Revised B.T. 21-053 attached hereto as **Revised Exhibit 1**, labeled
27 as "Revised Exhibit 1, Revised B.T. 21-053, March 15, 2021 -
28 NCSPHS" and incorporated herein)

29 (a) Appropriated from:

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

31 (b) Appropriated to:

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

2 (c) Explanation of Appropriation

3 The appropriation authorizes the borrowing of \$14,384,362
4 from the City's Commercial Paper Facility and/or the
5 issuance of debt in the cumulative, maximum amount of
6 \$14,384,362, and accepting the \$12,500,000 in funding
7 from the JEA, and appropriates the funds to the
8 designated area identified as the Christobel neighborhood
9 as set forth on the Septic Tank Phase-Out Prioritization
10 List as promulgated pursuant to Section 751.106,
11 *Ordinance Code*.

12 **Section 3. Purpose.** The purpose of the appropriation in
13 Section 2 is to contribute funding to the Project in the maximum,
14 cumulative amount of \$26,884,362, all as set forth on the Revised
15 Schedule B4 and Revised Schedule B4B, attached hereto as **Exhibit 2**
16 and **Revised Exhibit 3**, labeled as "Revised Exhibit 3, Rev Schedule
17 B4B, March 15, 2021 - NCSPHS," respectively, and incorporated
18 herein.

19 **Section 4. Carryover.** The funds appropriated herein shall
20 not lapse but shall carryover as appropriated from year to year
21 until such funds are expended or lapse according to the terms of
22 the Amendment.

23 **Section 5. Amending 2020-504-E, the FY 2020-2021 Budget**
24 **Ordinance, to replace Schedule B4 and Schedule B4B to allow for the**
25 **"Water/Wastewater System Fund" Project.** 2020-504-E, the FY 2020-
26 2021 Budget Ordinance, is hereby amended to replace Schedule B4
27 Debt Management Fund Detail and Schedule B4b Capital Improvement
28 Projects Funded Via Borrowing to add the City Sewer Phase Out
29 Project for the Christobel neighborhood improvements thereto. The
30 Revised Schedule B4 is attached hereto as **Exhibit 2** and the Revised
31 Schedule B4B is attached hereto as **Revised Exhibit 3**, labeled as

1 "Revised Exhibit 3, Rev Schedule B4B, March 15, 2021 - NCSPHS."

2 **Section 6. CIP Amendment.** Ordinance 2020-505-E, being
3 the 2021-2025 Five-Year Capital Improvement Program for the City
4 and certain of its independent agencies ("CIP"), is hereby amended
5 to add funding to the project entitled "Water/Wastewater System
6 Fund" ("Project"). The Project is more fully described in the
7 Project Information Sheet attached hereto as **Exhibit 4** and
8 incorporated herein. The Council finds that the deferral of this
9 amendment of the CIP until the next annual budget and CIP review
10 will be detrimental to the best interests of the community because
11 such deferral will result in delays in implementing the Christobel
12 neighborhood septic phase-out program. Pursuant to Section
13 122.605(c), *Ordinance Code*, enactment of this ordinance requires
14 approval by a two-thirds vote of the Council members present at the
15 meeting because of the CIP amendment set forth in this section.
16 Except as amended herein, the Five-Year Capital Improvement Program
17 approved by Ordinance 2020-505-E shall continue in full force and
18 effect.

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

26 **Section 8. Second Amendment to Interagency Agreement**
27 **approved and execution authorized.** The Second Amendment to the
28 March 22, 2016 Interagency Agreement by and between the City of
29 Jacksonville and JEA (the "Amendment") sets forth the collective
30 understanding and agreement of the City and JEA regarding an
31 additional, one-time JEA contribution in the 2020-2021 fiscal year

1 of \$12,500,000 from JEA to the City, and a one-time, additional
2 City Contribution of \$14,384,362 for the project authorized in the
3 Amendment, and continued cooperative efforts and responsibilities
4 regarding City sewer projects, is hereby approved. The Mayor, or
5 his designee, and the Corporation Secretary are hereby authorized
6 to execute and deliver, for and on behalf of the City, the
7 Amendment, in substantially the form as attached hereto as **Revised**
8 **Exhibit 5**, labeled as "Revised Exhibit 5, Revised 2nd Amd, March 15,
9 2021 - NCSPHS" and incorporated herein by this reference.

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

14 **Section 10. Effective Date.** This Ordinance shall
15 become effective upon signature by the Mayor or upon becoming
16 effective without the Mayor's signature.

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18 Form Approved:

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20 /s/ Paige H. Johnston

21 Office of General Counsel

22 Legislation Prepared by: John Sawyer

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