

1 Introduced by Council Member Becton:  
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4 **ORDINANCE 2021-289**

5 AN ORDINANCE AUTHORIZING THE BORROWING FROM  
6 THE CITY'S COMMERCIAL PAPER FACILITY AND/OR  
7 ISSUANCE OF FIXED-RATE DEBT IN THE MAXIMUM  
8 AMOUNT OF UP TO \$100,000,000 TO PROVIDE  
9 ADDITIONAL FUNDING FOR COUNTYWIDE ROAD  
10 CONSTRUCTION, ROAD RESURFACING AND SIDEWALKS  
11 CONSTRUCTION AS PART OF THE CITY'S CAPITAL  
12 IMPROVEMENT PROGRAM; APPROPRIATING  
13 \$100,000,000 TO THE INFRASTRUCTURE PROGRAM:  
14 \$80,000,000 FOR COUNTYWIDE ROAD CONSTRUCTION,  
15 \$10,000,000 FOR ROAD RESURFACING AND  
16 \$10,000,000 FOR SIDEWALK CONSTRUCTION;  
17 AMENDING 2020-504-E, THE FY 2020-2021 BUDGET  
18 ORDINANCE, TO REPLACE THE SCHEDULE B4 IN ORDER  
19 TO ALLOW FOR THE "INFRASTRUCTURE FUND";  
20 AMENDING THE 2021-2025 FIVE-YEAR CAPITAL  
21 IMPROVEMENT PROGRAM APPROVED BY ORDINANCE  
22 2020-505-E TO PROVIDE FUNDING FOR THE PROJECTS  
23 ENTITLED "COUNTYWIDE ROAD CONSTRUCTION",  
24 "ROADWAY RESURFACING" AND "COUNTYWIDE SIDEWALK  
25 CONSTRUCTION"; PROVIDING FOR QUARTERLY REPORTS  
26 TO COUNCIL; REQUESTING ONE CYCLE EMERGENCY  
27 PASSAGE; PROVIDING AN EFFECTIVE DATE.

28  
29 **WHEREAS**, currently pending before the Council is Ordinance  
30 2021-223, which proposes to extend the existing six-cent local  
31 option gas tax an additional ten years and to provide for the levy

1 of an additional five-cent local option gas tax and a one-cent  
2 local option gas tax (called the 9<sup>th</sup> cent gas tax) for thirty years,  
3 as authorized by Chapter 206, Florida Statutes; and

4 **WHEREAS**, Ordinance 2021-223 is being proffered to raise taxes  
5 to create an alternative funding source for certain roadway  
6 projects and improvements that are currently able to be funded, and  
7 which Council has requested to be expedited, in the City's annual  
8 budget and the Five-Year Capital Improvement Program. Additionally,  
9 Ordinance 2021-100, involving septic tank removal and wastewater  
10 system improvements, also seeks the authorization to advance  
11 funding through borrowing, which has been acknowledged to be viable  
12 to address current system deficiencies without raising taxes to do  
13 so; and

14 **WHEREAS**, this method of funding allows for the inclusion of  
15 certain infrastructure improvements not associated with a road  
16 project, such as new standalone sidewalks, sidewalk repairs and  
17 bike and pedestrian improvement, which cannot be funded through a  
18 local option gas tax; and

19 **WHEREAS**, as it has been acknowledged, the City has the funding  
20 capacity to authorize borrowing for both septic tank and  
21 infrastructure improvements, mutually exclusive of whether the  
22 local option gas tax is raised or not, and that debt financing or  
23 bonding at the level of \$100 million for each of these requests is  
24 a viable option with low interest rate repayment options; and

25 **WHEREAS**, the Council determines that the funds being made  
26 available herein shall be in addition to regular annual  
27 appropriations based on budgetary targets in the budget ordinances  
28 approved by Council each year. This special appropriation shall  
29 not replace funding levels normally proposed to the Council by use  
30 of reserve funds or issuance of debt and paid by the General Fund,  
31 and is a more desirable option than to impose new and additional

1 taxes upon the residents of Jacksonville; now therefore

2 **Section 1. Appropriation.** For the 2020-2021 fiscal year,  
3 within the City's budget, there are hereby appropriated the  
4 indicated sum(s) from the account(s) listed in subsection (a) to  
5 the account(s) listed in subsection (b):

6 (The account information is attached hereto as **Exhibit 1** and  
7 incorporated herein by this reference)

8 (a) Appropriated from:

9 See **Exhibit 1** \$100,000,000

10 (b) Appropriated to:

11 See **Exhibit 1** \$100,000,000

12 (c) **Explanation of Appropriation:**

13 The appropriation authorizes the borrowing of  
14 \$100,000,000 from the City's Commercial Paper Facility  
15 and/or the issuance of fixed-rate debt in the maximum  
16 amount of up to \$100,000,000 that will provide funding  
17 countywide for road construction, road resurfacing, and  
18 sidewalks as part of the City's Capital Improvement  
19 Program.

20 **Section 2. Purpose.** The purpose of the appropriation in  
21 Section 1 is to provide \$100,000,000 in funding for countywide road  
22 construction (\$80,000,000), road resurfacing (\$10,000,000) and  
23 sidewalk construction (\$10,000,000) in addition to the City's  
24 Capital Improvement Program as provided in Ordinance 2020-505-E.

25 **Section 3. Amending 2020-504-E, the FY 2020-2021 Budget**  
26 **Ordinance, to replace the Schedule B4 to allow funding for the**  
27 **additional Countywide Road Construction, Road Resurfacing and**  
28 **Sidewalk Construction.** 2020-504-E, the FY 2020-2021 Budget  
29 Ordinance, is hereby amended to replace Schedule B4, entitled "FY  
30 20-21 Debt Management Fund Detail," and Schedule B4b, entitled "FY  
31 20-21 Capital Improvement Projects Funded via Borrowing," in order

1 to increase the funding by the City of the Capital Improvement  
2 program as authorized herein. The Third Revised Schedule B4 and  
3 Second Revised Schedule B4b is attached hereto as **Exhibit 2** and  
4 **Exhibit 3**, respectively.

5 **Section 4. Authorizing the Borrowing and Appropriation of**  
6 **Funds.** The City is hereby authorized to borrow under its  
7 Commercial Paper Program and/or issue fixed-rate debt in the  
8 maximum amount of up to \$100,000,000 and such funds are hereby  
9 appropriated to fund the improvements as referenced herein.

10 **Section 5. CIP Amendment.** Ordinance 2020-505-E, being the  
11 2021-2025 Five-Year Capital Improvement Program for the City and  
12 certain of its independent agencies, is hereby amended to increase  
13 funding for the projects entitled "Countywide Road Construction",  
14 "Roadway Resurfacing", and "Countywide Sidewalk Construction." The  
15 projects are more fully described in the Project Information Sheets  
16 attached hereto as **Exhibit 4** and incorporated herein by this  
17 reference. The Council finds that the deferral of this amendment of  
18 the CIP until the next annual budget and CIP review will be  
19 detrimental to the best interests of the community because such  
20 deferral will result in substantial delays to the infrastructure  
21 projects which are needed immediately in the Capital Improvement  
22 Program. Pursuant to Section 122.605(c), Ordinance Code, enactment  
23 of this Ordinance requires the affirmative vote of two-thirds of  
24 the Council members present at the meeting because of the CIP  
25 amendment set forth in this Section. This ordinance shall  
26 constitute an amendment to Ordinance 2020-505-E. In all other  
27 respects, the Five-Year Capital Improvement Program approved by  
28 Ordinance 2020-505-E shall continue in full force and effect.

29 **Section 6. Report required.** The Public Works Department  
30 shall provide quarterly reports to the City Council concerning the  
31 status, progress and challenges, if any, of the expenditures and

1 implementation of the additional infrastructure projects permitted  
2 herein.

3           **Section 7. Requesting One Cycle Emergency Passage**  
4 **Pursuant to Council Rule 4.901 Emergency.** One cycle emergency  
5 passage of this legislation is requested. The nature of the  
6 emergency is that this bill provides for an alternate method for  
7 funding of the infrastructure improvements which are the nature of  
8 Ordinance 2021-223. Therefore, it is critical and necessary that  
9 consideration of this legislation is made concurrent with Ordinance  
10 2021-223.

11           **Section 8. Effective Date.** This Ordinance shall become  
12 effective upon signature by the Mayor or upon becoming effective  
13 without the Mayor's signature.

14 Form Approved:

15  
16 /s/ Paige H. Johnston

17 Office of General Counsel

18 Legislation prepared by: Paige H. Johnston

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