

FLOOR AMENDMENT

The Floor Leader offers the following amendment to File No. 2021-223:

- (1) On **page 1, line 13, strike** "AND";
- (2) On **page 1, line 16,** after "2022;" **insert** "AND (4) RESTRICTS JTA'S USE OF ITS SHARE OF THE GAS TAX ON THE U.S. DEPARTMENT OF TRANSPORTATION BUILD GRANT;";
- (3) On **page 1, line 25,** after "COMMITTEE;" **insert** "PROVIDING FOR DIRECT CONTRACTING WITH JSEB OR DBE PARTICIPANTS, AS APPLICABLE, IN AMOUNT OF AT LEAST \$250 MILLION FOR PROJECTS UTILIZING TAX REVENUE PROCEEDS;";
- (4) On **page 2, line 9,** after "TAXES;" **insert** "PROVIDING FOR POST-EMPLOYMENT RESTRICTIONS;";
- (5) On **page 2, line 18, strike** "Part 1 - Six-Cent Local Option Gas Tax" and **insert** "Part 1 - Six-Cent Local Option Gas Tax";
- (6) On **page 3, lines 8-9, strike** "prior to August 15" and **insert** "on or before October 1";
- (7) On **page 3, line 17, strike** "2021- -E. In the event the local municipalities do not enter" and **insert** "2021-223-E. In the event none of the local municipalities enter";
- (8) On **page 3, line 19, page 5, line 12, and page 6, line 26 strike** "2021- -E" and **insert** "2021-223-E";
- (9) On **page 3, line 20, and page 11, line 21 strike** "August 31, 2036" and **insert** "September 1, 2036";
- (10) On **page 4, line 3 and page 6, line 2, strike** "2052" and **insert** "2051";
- (11) On **page 5, line 5, strike** "prior to August 15" and **insert** "on or before October 1";
- (12) On **page 5, line 26 ½, insert** the following:

"Sec. 799.208. - Use of JTA's share of five-cent local option gas tax.

In addition to the provisions of §799.207, Ordinance Code, proceeds from the five-cent local option gas tax shall be used by the JTA only for transportation expenses as authorized and defined in §336.025(7), Florida Statutes, and for JTA projects post enactment of Ordinance 2021-223-E, in no event shall JTA use proceeds for the US Department of Transportation Build Grant."

- (13) On **page 6, line 30½, insert** the following:

"Sec. 799.308. - Use of JTA's share of 9th-cent local option gas tax.

In addition to the provisions of §799.207, Ordinance Code, proceeds from the 9th-cent local option gas tax shall be used by the JTA only for transportation expenses as authorized and defined in §336.025(7), Florida Statutes, and for JTA projects post enactment of Ordinance 2021-223-E, in no event shall JTA use proceeds for the US Department of Transportation Build Grant."

- (14) On **page 7, line 6½, insert** "****";

- (15) On **page 7, lines 17-19 and page 9, line 7-9s, strike** "Such involvement includes financing, planning, real estate, design, construction or other similar businesses or occupations." and **insert** "~~Such involvement includes financing, planning, real estate, design, construction or other similar businesses or occupations."~~";

- (16) On **page 10, line 28, strike** "only for transportation expenditures, as that term is defined in" and **insert** "for transportation expenditures, as that term is defined and qualified in";

- (17) On **page 11, line 2**, after "transportation expenditures" **insert** ", as defined in Section 336.025, Florida Statutes."
- (18) On **page 11, lines 2-7**, **strike** "needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks.";
- (19) On **page 11, line 11**, after "plan." **insert** "The JTA required eligible projects are established and attached to the **Second Revised On File** JTA Interlocal Agreement.";
- (20) On **page 11, line 12**, **strike** "Exhibit 1" and **insert** "Revised Exhibit 1, labeled as "Revised Exhibit 1, Rev Eligible Projects, May 19, 2021 - COW"";
- (21) On **page 11, line 12½** **insert** the following new Section:
- " Section 5. JSEB Direct Contracting for Projects Utilizing Gas Tax Revenue Proceeds.** For all projects utilizing Local Option Gas Tax proceeds, the City and JTA, cumulatively, shall designate \$250 million of anticipated gas tax revenues to enter into direct contracts with City certified Jacksonville Small and Emerging Businesses Program (JSEB) participants pursuant to Section 126.615, *Ordinance Code*, or JTA Disadvantaged Business Enterprise (DBE) participants, as applicable; provided that such awards do not violate state or federal law and provided further that there are JSEBs to perform the work. The Chief of Procurement, in consultation with the JSEB Administrator, for the City, and JTA Procurement for JTA, shall work in conjunction to award at least \$250 million of the projects utilizing

gas tax revenue proceeds to JSEBs, or DBE participants as applicable, through direct contracting.”;

(22) On **page 11, line 19, and page 12, line 1, strike “On File”** and **insert “Second Revised On File”**;

(23) On **page 12, line 5 ½ insert** the following new section:
“**Section 7. Post-Employment Restrictions.** Pursuant to the provisions in Section 602.411 (Disqualification of former officers and employees in matters connected with former duties or official responsibilities; disqualification of partners) and 602.412 (Prohibited future employment), which govern City officers and employees, no current City employee or officers shall have or hold an agency, attorney, employee or contractual relationship in violation of such Code provisions with respect to public transportation and infrastructure projects encompassed within the proposal for the Local Option Gas Tax project list.”;

(24) On **page 1, line 24, strike “AND”**;

(25) On **page 1, line 25, after “COMMITTEE” insert “, AND PROVIDING FOR AN ACCOUNTABILITY DASHBOARD”**;

(26) On **page 10, line 19½, insert** the following new language to Section 761.107, Ordinance Code:

“(d) An accountability dashboard shall also be created so that following each regular or special meeting of the FAC and the PAC, which shall occur on at least a quarterly basis, in a concise and user friendly format easily accessible to the public through posting on the City of Jacksonville and Jacksonville Transportation Authority websites, including the following information: summary of the progress and status of the local option gas tax

projects and a summary of the revenues accumulated for the local option gas tax projects, along with all documents and other information which was presented to or discussed by the FAC and the PAC at their respective meetings. These reports shall have a 3 -year tracking of the previous year, the current year, and the future year for project timelines, anticipated start and finish dates, priorities or timing for future projects, information concerning the bidding for projects and what contractors are ultimately selected (including pertinent information as to JSEB participation levels in the project), and anticipated costs of each project."

- (27) On **page 2, line 9**, after "TAXES;" **insert** "PROVIDING FOR COMPLIANCE WITH STATE ETHICS LAWS;"
- (28) On **page 12, line 10½** **insert** the following new section:
- " **Section 8. Compliance with State Ethics Laws.** The provisions of Part III, Chapter 112, Florida Statutes, shall apply to the members of the FAC and the PAC. Specifically, Section 112.313 (Standards of conduct for public officers, employees of agencies, and local government attorneys), Florida Statutes, as to conflicts of interest are applicable to the members of the FAC or the PAC Committees."
- (29) On **page 1, lines 23-24**, **strike** "ON AN ANNUAL BASIS" and **insert** "TWICE A YEAR NO LATER THAN APRIL 1 AND OCTOBER 1";
- (30) On **page 10, lines 14-15**, **strike** "prepare and present to the City Council and the Mayor a report, on an annual basis no later than April 1 of each year" and **insert** "prepare and present to the City Council and the Mayor a report twice a year no later than April 1 and October 1";

- (31) Renumber Sections accordingly;
- (32) Remove **Exhibit 1** and replace with **Revised Exhibit 1**, which attaches the Revised Exhibit 1 to remove the Soutel Drive Road Diet and add the Emerald Trail Eligible LOGT projects;
- (33) Remove **On File** document and replace with **Second Revised On File** document attached hereto, which attaches the Revised Interlocal Agreement with JTA to reflect the changes approved in the new Sections 799.208 and 799.308 stated above, adds the required list of JTA projects including the Emerald Trail Eligible LOGT projects;
- (34) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Margaret M. Sidman

Office of General Counsel

Legislation Prepared By: Margaret M. Sidman

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