

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

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 9th 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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