

1 Introduced by the Council President at the request of the Mayor and
2 Co-sponsored by Council Member Dennis:

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5 **ORDINANCE 2019-773**

6 AN ORDINANCE APPROPRIATING GRANT FUNDS IN THE
7 AMOUNT OF \$1,500,000.00 FROM THE ST. JOHNS
8 RIVER WATER MANAGEMENT DISTRICT FOR ITS
9 PARTICIPATION IN THE COSTS OF THE MCCOY'S
10 CREEK IMPROVEMENT PROJECT, AS INITIATED BY
11 B.T. 19-128; AMENDING THE 2020-2024 FIVE-YEAR
12 CAPITAL IMPROVEMENT PROGRAM APPROVED BY
13 ORDINANCE 2019-505-E TO PROVIDE FUNDING FOR
14 THE PROJECT ENTITLED "MCCOY'S CREEK
15 RESTORATION"; AUTHORIZING THE MAYOR, OR HIS
16 DESIGNEE, AND THE CORPORATION SECRETARY TO
17 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
18 CITY, THE COST SHARE AGREEMENT BETWEEN THE ST.
19 JOHNS RIVER WATER MANAGEMENT DISTRICT AND CITY
20 OF JACKSONVILLE; PROVIDING FOR CITY OVERSIGHT
21 BY THE ENGINEERING AND CONSTRUCTION MANAGEMENT
22 DIVISION OF THE DEPARTMENT OF PUBLIC WORKS;
23 PROVIDING AN EFFECTIVE DATE.

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

26 **Section 1. Appropriation.** For the 2019-2020 fiscal year,
27 within the City's budget, there are hereby appropriated the
28 indicated sum(s) from the account(s) listed in subsection (a) to
29 the account(s) listed in subsection (b):

30 (B.T. 19-128 attached hereto as **Exhibit 1** and incorporated herein
31 by this reference)

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(a) Appropriated from:

See B.T. 19-128 \$1,500,000.00

(b) Appropriated to:

See B.T. 19-128 \$1,500,000.00

(c) Explanation of Appropriation

The funding above is a grant from the St. Johns River Water Management District ("SJRWMD") for its participation in the costs of the McCoy's Creek Improvement Project.

Section 2. Purpose. The purpose of this legislation is to appropriate new grant funds from SJRWMD for its participation in the project costs for the restoration of McCoy's Creek by enhancing the natural creek flow and natural flood plain, removing two bridges, raising two bridges above the 100 year flood stage, opening the mouth of McCoy's Creek, and transporting contaminated ash within a highly urbanized creek lying within the city limits on the north bank of the St. Johns River in proximity to the Fuller Warren Bridge.

Section 3. CIP Amendment. Ordinance 2019-505-E, being the 2020-2024 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is hereby amended to use grant funds for the project entitled "McCoy's Creek Restoration." The project is more fully described in the Project Information Sheet, attached hereto as **Exhibit 2** and incorporated herein by this reference. The Council finds that the deferral of this amendment of the CIP until the next annual budget and CIP review will be detrimental to the best interests of the community because such deferral will result in unnecessary delay in receiving grant dollars from SJRWMD. Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this ordinance requires the affirmative vote of

1 two-thirds of the Council members present at the meeting because of
2 the CIP amendment set forth in this section. This ordinance shall
3 constitute an amendment to Ordinance 2019-505-E. In all other
4 respects, the Five-Year Capital Improvement Program approved by
5 Ordinance 2019-505-E shall continue in full force and effect.

6 **Section 4. Approving and authorizing execution of Cost**
7 **Share Agreement.** The Mayor, or his designee, and Corporation
8 Secretary are hereby authorized to execute and deliver, for and on
9 behalf of the City, the Cost Share Agreement between the St. Johns
10 River Water Management District and City of Jacksonville, in
11 substantially the same form attached hereto as **Exhibit 3** and
12 incorporated herein by this reference.

13 **Section 5. Oversight.** The Engineering and Construction
14 Management Division of the Department of Public Works will provide
15 oversight.

16 **Section 6. Effective Date.** This ordinance shall become
17 effective upon signature by the Mayor or upon becoming effective
18 without the Mayor's signature.

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20 Form Approved:

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22 /s/ James R. McCain, Jr.

23 Office of General Counsel

24 Legislation prepared by: James R. McCain, Jr.

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