

## ORDINANCE 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ORDINANCE 2009-41, WHICH ADOPTED CERTAIN TABLES WHICH COMPRISE PART OF THE DATA AND ANALYSIS SUPPORTING THE FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CLAY COUNTY 2025 COMPREHENSIVE PLAN ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, AS AMENDED; PROVIDING AN EFFECTIVE DATE.

### Recitals

**WHEREAS**, on October 27, 2009 the Board of County Commissioners of Clay County, Florida (the "Board") adopted Ordinance No. 09-41 which adopted the Clay County 2025 Comprehensive Plan, which as subsequently amended is now referred to as the Clay County 2025 Comprehensive Plan (the "Plan"); and,

**WHEREAS**, Policy 1.2 of the Capital Improvements Element (CIE) of the Plan directs the County to monitor capital facilities to identify deficiencies, to evaluate whether improvements have met demands, and to identify needed maintenance; and,

**WHEREAS**, The Table attached and incorporated herein as Exhibit A entitled "Clay County Capital Improvements," hereinafter referred to as "Table 1", contains CIE improvements in Section I and Non-CIE improvements in Section II, and changes to each type of improvement are accomplished in a different manner; and,

**WHEREAS**, When additions or deletions are made to Section I of Table 1, then changes must be made to Table 2 attached and incorporated herein as Exhibit B, and entitled "Clay County Capital Program Revenue Sources", to reflect and be consistent with the changes in Section I of Table 1; and,

**WHEREAS**, Section 163.3177(3), Florida Statutes, requires that amendments to Tables 1 and 2 as part of the data and analysis supporting the five year capital improvement program in the CIE of the Plan must be accomplished by ordinance whereas amendments to the list of Non-CIE improvements in Section II of Table 1 may be accomplished by resolution; and

**WHEREAS**, It is necessary to amend the County's Capital Improvement Plan which necessitates amending the Tables of the CIE in Ordinance No. 09-41.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1.

Section I of Table 1 as depicted in Exhibit A attached hereto and incorporated herein is amended to make necessary changes as directed by the Clay County Board of County Commissioners.

Section 2.

Table 2 as depicted in Exhibit B which is attached hereto and incorporated by reference herein 09-41 is amended to make it consistent with Table 1.

Section 3.

With respect to the Tables referenced in Section 1 above, the legal effect of this Ordinance is that upon its effective date:

- (A) Funds for capital projects identified in the Tables shall only be expended consistent therewith; and,
- (B) To the extent that corrections, updates, and modifications concerning costs, revenue sources, acceptance of facilities pursuant to dedications which are inconsistent with the Tables, or a change in the date of construction of the capital projects identified in the Tables are proposed, such may only be implemented by amendment hereto.
- (C) Nothing in this Ordinance shall have any effect on the improvements listed in Section II of Table 1. This ordinance shall be construed only to amend Section 1 of Table 1.

Section 4.

A copy of the Ordinance shall be filed with the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL , 32399-0250 by the Clerk of the Board within ten days after enactment by the Board and shall thereafter take effect in accordance with general Florida law.

Section 5.

This ordinance shall take effect as provided for by Florida law.

**DULY ADOPTED**, by the Board of County Commissioners, Clay County, Florida, this 10<sup>th</sup> day of April, 2018.

BOARD OF COUNTY COMMISSIONERS  
CLAY COUNTY, FLORIDA

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Gavin Rollins  
Its Chairman

ATTEST:

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S. C. Kopelousos  
County Manager and Clerk of the  
Board of County Commissioners