

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2012-214

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU

Date of Analysis: April 12, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 320 – Construction Regulations and Building Codes/General Provisions – to update wind zone boundaries and references to the Florida Building Code appendices. The new demarcation line between the two wind zones is the St. Johns River from the city's southern boundary north to the Fuller Warren Bridge, and then I-95 north to the Nassau County line. The building code amendments provide for the establishment of 4 risk categories for structures on either side of that demarcation line, based on the different wind speed standards and type of building construction. It also provides that a building permit applicant may choose to interpolate from the actual wind speed maps instead of using the standard parameters if a licensed engineer produces a location map showing the wind speed interpolation calculations.

Background Information: The current wind zone demarcation line runs north on Phillips Highway from the St. Johns County line, follows State Road 9A north and east to Butler Boulevard, runs east on JTB for 4,115 feet, then north on Regent Boulevard and Central Parkway to Beach Boulevard, then east on Beach Blvd. to 9A, then north on 9A to Yellow Bluff Road, then north on Yellow Bluff Road to US 17 (North Main Street), then north on US 17 to the Nassau County line. Currently the Code requires a minimum 120 mph wind design standard for structures east of the line and a 119 mph standard west of the line.

The new Risk Category I for structures as defined in the code mandates a wind speed standard of 115 mph west of the demarcation line and 120 east of the line. For Risk Category II structures as defined in the code, the wind speed standard is 125 mph west of the demarcation line and 130 east of the line. For Risk Category III and IV structures as defined in the code, the wind speed standard is 135 mph west of the demarcation line and 140 east of the line.

Policy Impact Area: Building Code amendments for wind standards

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2012-215

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU, F

Date of Analysis: April 12, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 802 – Public Parking – to provide that the City shall make available public parking to persons attending City Council meetings, council committee meetings, or special functions or events at City for a flat fee of \$2 in all City-owned parking garages or in any privately-owned parking garage that chooses to participate in the program. Signage is required pointing out the closest parking garage to City Hall. The bill also directs that the parking meters on the streets immediately adjacent to City Hall shall allow for a maximum of 4 hours of parking.

Background Information: The sponsor believes that the absence of free parking for City Hall, the cost of downtown garage parking and the short terms on the parking meters immediately surrounding City Hall (1 or 2 hours) combine to make it difficult for citizens to conveniently attend City meetings, particularly committee meetings during regular business hours. The closest publicly-owned garage (the library garage at the corner of Duval and Main Streets which is operated by LAZ Parking) charges \$3 for the first hour and \$2 per additional hour up to a maximum of \$10.

The parking meters marked as City Hall-specific were intentionally limited to short-term durations in order to ensure rapid turnover of the spaces and thereby provide availability for citizens needing to visit City Hall for quick transactions.

Policy Impact Area: Public parking.

Fiscal Impact:

Analyst: Clements

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Bill Type and Number: Ordinance 2012-220

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: April 12, 2012

Type of Action: Appropriation; designation of oversight department

Bill Summary: The bill appropriates \$72,122 from the Cecil Gymnasium and Fitness Center Capital Improvement Trust Fund to replace several pieces of exercise equipment and to fund architectural services for renovation of portions of the fitness center. It designates the Parks and Recreation Department as the oversight agency for the projects.

Background Information: The City proposes to purchase two Fitco adaptive motion trainer machines (combination elliptical/stair stepper) to replace existing fitness machines and to pay for architectural services to redesign the main entry area, women's restroom, fitness area and gymnasium of the Cecil Gym and Fitness Center. The center charges a membership fee and daily entrance fee and revenues are deposited in the center's capital improvement trust fund for maintenance and improvements.

Policy Impact Area: Cecil Gymnasium and Fitness Center improvement

Fiscal Impact: The bill appropriates \$12,278 for replacement of fitness equipment and \$59,884 for architectural services for renovation of the facility.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-221

Sponsor: The Council President at the request of the Mayor:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 13, 2012

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; the ordinance appropriates \$9,600 awarded to the City of Jacksonville by the State of Florida, Division of Emergency Management, for the Citizens Corps & Community Emergency Response Team (CERT) programs, as initiated by B.T. 12-047.

Background Information: This program is an important part of Emergency Preparedness and Mitigation as it prepares citizens for being prepared to respond to a catastrophic incident until first responders arrive on the scene. The program creates knowledgeable survivors who are capable of assisting victims and lessening the impact of the accident. The grant provides funding for CERT programs including: equipment such as backpacks, personal computers and projectors needed for training classes; funding for planning covers travel, sign-language interpreters and other expenses.

Policy Impact: Jacksonville Fire & Rescue Department/Emergency Preparedness

Fiscal Impact: The ordinance appropriates \$9,600 in funds from the State of Florida

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-222

Sponsor: The Council President at the request of the Mayor:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 13, 2012

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; the ordinance appropriates \$10,766 awarded to the City of Jacksonville by the State of Florida, Division of Emergency Management, for the Citizen Corps & Community Emergency Response Team (CERT) programs, as initiated by B.T... 12-048.

Background Information: A component of the Emergency Preparedness and Mitigation, the program prepares citizens for being prepared to respond to a catastrophic incident until the arrival of first responders. Funds are allocated for planning activities, medical supplies, travel, personal protection equipment like masks and gloves, backpacks, supplies for exercises with extinguishers; funds can be used for medical reserve corps and volunteers and police service.

Policy Impact: Jacksonville Fire & Rescue Department/Emergency Preparedness

Fiscal Impact: The ordinance appropriates \$10,766 from the State of Florida

Analyst: Jackson

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Bill Type and Number: 2012-223

Sponsor: The Council President at the request of the Sheriff:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 13, 2012

Type of Action: Appropriation; Grant Agreement Approval

Bill Summary: The ordinance appropriates \$72,798 from the U.S. Department of Homeland Security, with no local match, to the Jacksonville Sheriff's Office through the Florida Division of Emergency Management (FDEM) for the purchase of X-ray equipment and a searchlight system, as initiated by B.T. 12-049; the ordinance approves, and authorizes the Mayor and the Corporation Secretary to execute and deliver, on behalf of the City, the FDEM Grant Agreement between the City and the State of Florida, Division of Emergency Management.

Background Information: The X-ray equipment (\$22,000.00) will be a mechanism assigned to mobile units and will be utilized to render suspicious packages safe. The searchlight system (\$50,798.00) is for the aviation unit's use to gather intelligence on the ground. The grant period runs from October 1, 2011 through April 30, 2014.

Policy Impact: Jacksonville Sheriff's Office/Homeland Security

Fiscal Impact: The ordinance appropriates \$72,798 in a federal grant; no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-224

Sponsor: The Council President at the request of the Sheriff:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 13, 2012

Type of Action: Appropriation; Approval of Memorandum of Understanding Agreement

Bill Summary: The ordinance appropriates \$442,500 from the U.S. Department of Homeland Security, with no local match, to provide funding to the Jacksonville Sheriff's Office for equipment and training that will sustain and enhance the current capabilities of the JSO bomb squad and dive team, as initiated by B.T. 12-050; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, the Sub-Grantee Award Memorandum of Agreement between the Jacksonville Marine Transportation Exchange and JSO.

Background Information: The Memorandum of Agreement that this ordinance approves and authorizes establishes the terms and conditions that enable the Jacksonville Marine Transportation Exchange, in its role as Fiduciary Agent, to award a Sub-grant from the Port Security Grant Program to JSO. JMTX is the shipping and maritime operators that coordinate safe and secure operations of the marine transportation system in the Port of Jacksonville. The projects secured by this appropriation include:

WMD/Hazardous Device Maritime Training	\$192,500
Marine Thermal Imaging System (FLIR)	\$ 40,000
EOD Dive Enhancement Package	\$210,000

Policy Impact: Jacksonville Sheriff's Office/Port Security/Homeland Security

Fiscal Impact: This ordinance appropriates \$442,500 in a U.S. Department of Homeland Security grant, requiring no local match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-225

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: F

Date of Analysis: April 12, 2012

Type of Action: Appropriation; designation of oversight department

Bill Summary: The bill appropriates \$4,000 in grant funding from the U.S. Conference of Mayors to pay for financial literacy materials, digital media resources and tuition reimbursement for financial education training for students taking part in the City's summer youth jobs program. The Talent Management Division of the Employee Services Department is appointed as the oversight agency.

Background Information: The Conference of Mayors' National DollarWISE Campaign is intended to provide instruction in financial literacy to youth and adults to help encourage economic independence and sensible money management. The Dollarwise Summer Youth Campaign is an initiative to encourage mayors to include financial literacy education in their summer youth employment programs. The Jacksonville training will take place the week of June 18-21.

Policy Impact Area: Youth financial literacy

Fiscal Impact: The bill appropriates \$4,000 in private grant funding.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-226

Sponsor: The Council President, per Ordinance 2011-724-E:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F

Date of Analysis: April 13, 2012

Type of Action: Special District Budget Approval

Bill Summary: This ordinance approves the Isle of Palms Special District proposed Fiscal Year budget, per Ordinance 2011-724-E and Section 189.4041, *Florida Statutes*.

Background Information: Ordinance 2011-724-E and Section 189.4041, *Florida Statutes*, established the Isle of Palms Special District (the "District") as dependent special district for the purpose of dredging the Isle of Palms canal system. The ordinance and statute creating the special district requires the District to submit its proposed budget to the City Council every year by April 1st. By this ordinance, the District is submitting its proposed Fiscal Year 2012-2013 budget to the City Council for approval. The District is located in Council District 3.

Policy Impact: Special Districts

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-227

Sponsor: The Council President, per Ordinance 2010-725-E:

Date of Introduction: April 10, 2012

Committee(s) of Reference: F

Date of Analysis: April 13, 2012

Type of Action: Special District Budget Approval

Bill Summary: This ordinance approves the Harbour Waterway Special District proposed Fiscal Year 1012-2013 budget, per Ordinance 2010-725-E and Section 189.4041, *Florida Statutes*.

Background Information: Florida Statutes provide that the City Council may create dependent special districts for the purpose of delivering essential services to specific areas within the City. The City of Jacksonville established the Harbour Waterway Special District (the "District") per Ordinance 2010-725-E, a dependent district for the purpose of dredging the Harbour Waterway canal system. A qualification for a dependent special district is the requirement that the District submit its proposed budget to the City Council every year by April 1st. The District has submitted the proposed Fiscal Year 2012-2013 budget to the City Council prior to April 1st, and, by this ordinance, seeks the approval by the City Council. The special district is located in Council District 1.

Policy Impact: Special Revenue Districts

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-228

Sponsor: Council Member Brown:

Date of Introduction: April 10, 2012

Committee(s) of Reference: R; F; RCDPHS

Date of Analysis: April 13, 2012

Type of Action: Lease Authorization; Ordinance Code Waiver

Bill Summary: The ordinance authorizes the Mayor and Corporation Secretary to execute a lease between S.O.C.K. Outstanding Students (S.O.S.) Academy, Inc. and the City of Jacksonville for certain premises at 6974 Wilson Boulevard to exercise the term of the lease for 10 years with 3 renewal options; the ordinance waives Section 126.202 (Competitive Sealed Bid) of Part 2 (supplies, Contractual Services and Capital Improvements) of chapter 126 (Procurement Code), *Ordinance Code* to allow for direct contracting with SOS Academy without an RFP; provides for City oversight by the Department of Parks and Recreation. The charter schools site is located in Council District 10.

Background Information: The premises at 6974 Wilson Boulevard are the City-owned Mary Lena Gibbs Community Center. S.O.S. Academy leases an office, storage area, gym, and land at the complex for the charter school's activities. The lease agreement was originally entered into September 5, 2001. The lease was amended on November 7, 2006 to extend the term of the lease and included maintenance obligations. Ordinance 2011-593-E authorized a Second Amendment to the lease that enabled school to exercise the terms of the lease to holdover from month to month until a new tenant was selected through the Request for Proposal process.

Note: An amendment is needed to remove Second Amendment language in the text of this ordinance.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-229

Introducer/Sponsor(s): TEU Committee

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU

Date of Analysis: April 12, 2012

Type of Action: Amendment of fair share agreement

Bill Summary: The bill approves a first amendment to the fair share agreement between the City and Blue Way Developers for a project known as Jax Retail and Office Park South on San Jose Boulevard to extend the term of the agreement for 3 additional years to May 2018.

Background Information: The original fair share agreement in 2006 between the City and Project USA, LLC provided concurrency capacity for a business park development of not to exceed 160,000 square feet on 3.99 acres on San Jose Boulevard north of Mandarin Meadows Drive. The fair share assessment was \$157,559 to fund sector 3.2 with a 5-year term expiring May 2011. The term has since been extended twice, by 2 years to May 2013 and by 2 years to May 2015. Project USA has since merged with Blue Way Developers, LLC and the new company wishes to extend the term of the contract for an additional 3 years to May 2018.

Policy Impact Area: Fair share agreement

Fiscal Impact: The applicant has made one payment of \$80,483 on its fair share assessment leaving a balance of \$77,076. The applicant will be required to pay an annual capacity reservation fee of 5% of the outstanding balance remaining each year beginning when the current extension expires in May 2015.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-230

Sponsor: The Council President at the request of the Mayor:

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU

Date of Analysis: April 13, 2012

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims the south 279.25 feet of Niblick Drive, an unopened and unimproved portion of the right-of-way, established by Plat Book 4, Page 22, of the current public records of Duval County, Florida, in Council District 10, at the request of JEA (the "applicant"), to enable the applicant to build a new lift station, subject to reservation of an easement over the closed and abandoned portion of Niblick Drive for ingress and egress and for all utilities.

Background Information: The portion of this right-of-way is not used; there is no infrastructure in the right-of-way; there is no anticipation of future need. This request has been sent to the various municipal agencies which might have an interest in the matter. There were no objections. The applicant is exempt from paying the closure application fee. The adjacent property owners were notified of the closure; there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-231

Sponsor: The Council President at the request of the Mayor:

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: April 13, 2012

Type of Action: Easement Authorization

Bill Summary: The ordinance authorizes the Mayor and Corporation Secretary to execute and deliver a Dedication of Easement granting Gilbert Davis, a landlocked property owner, the right of ingress and egress over and through a portion of Flynn Park in Council District 6.

Background Information: Mr. Davis's property does not have legal access to a public street and he has been using an established, unpaved driveway in the proposed easement area. There are no objections from pertinent agencies or city departments to the provision of this easement.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-232

Sponsor: TEU Committee

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU

Date of Analysis: April 12, 2012

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Redus Florida Land LLC for a mixed use residential/retail project known as Willow Lakes – Westland Oaks Mixed Use. The fair share assessment is \$1,327,487 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 661 p.m. peak hour trips being generated on links in fair share fund sector 4.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Blanding Boulevard – 103 rd Street to I-295	110
Blanding Boulevard – I-295 to Clay County line	63
Collins Road – Rampart Road to Blanding Boulevard	232
Collins Road – Blanding Boulevard to Pine Verde	55
Ricker Road – 103 rd Street to Morse Avenue	14
Firestone Road – Morse Avenue to 103 rd Street	33
Jammes Road – 103 rd Street to Morse Avenue	16
Collins Road – Shindler Road to Rampart Road	39
Rampart Road – Park City Drive to Morse Avenue	21
Collins Road – Pin Verde to Roosevelt Boulevard	45
Rampart Road – Collins Road to Park City Drive	35

Background Information: The project consists of a fast food restaurant with drive-through, bank with drive-through lanes, 6,000 square foot convenience store with 20 gas pumps, and 229 apartments on 28.35 acres on Collins Road between Plantation Bay Drive and Grayfield Drive in Council District 14.

The company is permitted to seek a fair share agreement rather than use the mobility fee system because it had made application for a fair share agreement prior to the deadline for changing to a mobility fee and is therefore permitted to continue under the old system.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$1,327,487 to the Sector 4.2 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-233

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 10, 2012

Committee(s) of Reference: LUZ

Date of Analysis: April 12, 2012

Type of Action: Approval of development agreement and reservation of concurrency capacity

Bill Summary: The bill approves a development agreement between the City and Raymond L. Lane, Wilbeth, Inc. and the Lane Land Trust for a condominium project known as Sweetwater Park on Bethel Road and Peter Drive in Council District 10. The agreement reserves concurrency capacity for the project for a period of 4 years subject to a performance schedule and the payment of an annual capacity reservation fee for traffic capacity.

Background Information: The City originally issued a conditional concurrency capacity availability statement for the project in December 2006. The project will consist of 120 condominium units.

The capacity being reserved consists of the following p.m. peak hour trips:

Lane Avenue – San Juan Avenue to Wilson Boulevard	10
Wilson Boulevard – Lane Avenue to I-295	9
Old Middleburg Road North – Wilson Blvd. to Herlong Road	5

Policy Impact Area: Concurrency management

Fiscal Impact: The annual concurrency reservation fee is an amount equal to twice the application fee for a concurrency reservation certificate not preceded by a conditional capacity availability statement.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-234

Introducer/Sponsor(s): Council Member Anderson

Date of Introduction: April 10, 2012

Committee(s) of Reference: LUZ

Date of Analysis: April 12, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 656 – Zoning Code – to add a definition of “temporary surface parking” that includes “parking entirely for governmental uses on the site of the governmental use that last no longer than two years.” The amendment also exempts a temporary governmental use surface parking lot from review and approval by the Downtown Design Review Board.

Background Information: The allowance of a temporary governmental use surface parking lot will permit the employees of the State Attorney’s Office to park adjacent to the new county courthouse in the area now occupied by the construction management office trailers until the new State Attorney’s Office in the renovated federal courthouse is completed and its parking facilities are available. The State Attorney has requested that the City provide parking immediately adjacent to the new courthouse and the current State Attorney offices in the Courthouse Annex so that prosecutors can quickly and safely transport files, evidence and other trial materials from their current offices to the new courthouse until their new offices are completed.

Policy Impact Area: Courthouse functionality

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2012-235

Sponsor: Council Member Gulliford:

Date of Introduction: April 10, 2012

Committee(s) of Reference: TEU; RCDPHS; R; JWW

Date of Analysis: April 13, 2012

Type of Action: Ordinance Code Amendment

Bill Summary: The ordinance creates a new Ordinance Code Chapter 93 - St. Johns River (Mayport) Ferry Commission, to operate, maintain, fund and oversee the St. Johns River (Mayport) Ferry.

Background Information: The Jacksonville Port Authority currently operates the St. Johns River Ferry. JaxPort contends that the ferry's operating expenses adversely impact's the Port Authority's primary work. At its February 27, 2012 Board meeting, JaxPort announced that it would end its operation of the ferry September 30, 2012. In an effort to keep the ferry service intact, a St. Johns River Ferry Funding Ad Hoc Committee was created to bring stakeholders together. Imperative is the need for an entity to operate the ferry; to seek grants and other funding sources to meet the fiscal obligations in operating the ferry. Though Council Member Gulliford, as chair of the Ad Hoc Committee, requested the Office of General Counsel to draft the legislation to create a St. Johns River Ferry Commission, at its March 29, 2012 meeting, the Ad Hoc Committee unanimously voted to sponsor this legislation.

Policy Impact: St. Johns River (Mayport) Ferry; Ordinance Code

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2012-236

Introducer/Sponsor(s): Council President at the request of the LUZ Committee

Date of Introduction: April 10, 2012

Committee(s) of Reference: LUZ

Date of Analysis: April 12, 2012

Type of Action: Appeal of Jacksonville Historic Preservation Commission ruling

Bill Summary: The bill rules on an appeal of a ruling by the Jacksonville Historic Preservation Commission on an application for a certificate of appropriateness for building renovations brought by John Hale, P.E. and Freida Speicher, AIA, for the building at 333 North Laura Street (MOCA Jacksonville) in Council District 4.

Background Information: The applicants filed an application on behalf of the University of North Florida for a certificate of appropriateness to replace 105 existing windows with modern windows in the same style, to restore and replace damaged terra cotta on the building exterior, and to brick up 14 windows on the building's east side. The building is suffering from water infiltration through the damaged terra cotta and around the old windows which is causing a humidity problem in the building which is a danger to the artwork. The Historic Preservation Commission approved the terra cotta repair/replacement and approved bricking up 9 of the 14 requested windows that face the side of the Main Library, requiring that 5 windows visible from Duval Street be retained. The commission disallowed the request to replace the 105 windows on the grounds that the windows are not sufficiently deteriorated and that repair rather than replacement is possible and preferable. The university prefers to replace the old wood framed, single glass windows with energy efficient double-pane glazing in metal frames.

Policy Impact Area: Historic preservation

Fiscal Impact: Replacement of the windows is more expensive than repair, but the university believes that in the long term the benefits of energy efficiency and low maintenance from the new windows would outweigh the differential between repair and replacement.

Analyst: Clements

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Bill Type and Number: Resolution 2012-237

Introducer/Sponsor(s): Council Members Crescimbeni, Holt and Carter

Date of Introduction: April 10, 2012

Committee(s) of Reference: R, F

Date of Analysis: April 12, 2012

Type of Action: Direction to City Procurement Division

Bill Summary: The bill encourages the Mayor to direct the Procurement Division to issue a stand-alone RFP seeking a facility manager for the Equestrian Center separate and apart from the management company that may be hired pursuant to an already-issued RFP for candidates to manage all of the City's public assembly venues.

Background Information: The City recently issued an RFP seeking companies interested in operating the City's public assembly facilities (EverBank Field, Veterans Memorial Arena, Baseball Grounds, Times-Union Center for the Performing Arts, Prime Osborn Convention Center, Equestrian Center and Ritz Theater and Museum). During last year's Finance Committee budget hearings the committee debated the future of the Equestrian Center and directed that consideration be given to hiring a community based organization to manage the facility that would focus solely on the facility and could operate it at a lower cost than the current operator. This bill's sponsors wish to explore alternative operator options and wish to have an RFP issued to gauge the interest and abilities of local and/or equestrian-oriented organizations to manage the facility so that option can be considered along with the results of the multi-facility RFP that are due in April.

Policy Impact Area: Equestrian Center management

Fiscal Impact: Undetermined

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-238

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 5, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Constance S. Hall to the Public Service Grant Council, filling the slot formerly held by Juan Diaz for a first full term.

Background Information: The Public Service Grant Council is established pursuant to Chapter 118, *Ordinance Code*, and charged with the review and evaluation of all Public Service Grant applications and responsibility for making funding recommendations to the Mayor and City Council for Public Service Grants. Section 118.803, *Ordinance Code*, provides that the composition of the council includes three members appointed by the Mayor and confirmed by City Council.

Dr. Hall received a Ph.D. from Florida A & M University and is an independent consultant with a long career in education. She resides in the Robinsons Addition area within Council District #9.

NOTE: Per Ordinance 2009-868-E, the terms for the Public Service Grant Council commence on January 1st. This bill may need to be amended to reflect a term end date of December 31, 2013.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-239

Sponsor: Council President at the request of the Jacksonville Ethics Commission

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Jacksonville Ethics Commission's appointment of Ywana M. Allen as a member of the Jacksonville Ethics Commission, filling the slot formerly held by Rhonda Peoples-Waters, for a partial term beginning March 5, 2012, and ending December 31, 2013.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that three of the nine members of the commission shall be Duval County registered voters appointed by the commission and confirmed by Council.

Mr. Paul received a master's degree in educational leadership from the University of North Florida and is an Assistant Principal with *Duval County Public Schools*. She resides in the Golden Glades/The Woods area within Council District #3.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2012-240

Sponsor: Council President at the request of the Chief Judge for the Fourth Judicial Circuit

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Chief Judge's appointment of Cynthia L. Irvin to the Jacksonville Ethics Commission, replacing Kirby Oberdorfer, for a partial term beginning February 10, 2012, and ending December 31, 2013.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the Chief Judge for the Fourth Judicial Circuit and confirmed by Council.

Ms. Irvin received a law degree from the University of Florida and is a Professor of Professional Skills with *Florida Coastal School of Law*. She resides in Duval County.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-241

Sponsor: Council President at the request of the Public Defender

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Public Defender's appointment of Joe Jacquot to the Jacksonville Ethics Commission, for a partial term beginning February 1, 2012, and ending December 31, 2013.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the Public Defender for the Fourth Judicial Circuit and confirmed by Council.

Mr. Jacquot received a law degree from the University of Florida. He is a Senior Vice President with *Lender Processing Services* and a former Deputy Attorney General of Florida. Mr. Jacquot resides in the Miramer area with Council District #5.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-242

Sponsor: Council President at the request of the Jacksonville Ethics Commission

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Jacksonville Ethics Commission's appointment of Thomas C. Paul as a member of the Jacksonville Ethics Commission, replacing Mary Swart, for a first full term beginning March 5, 2012, and ending December 31, 2014.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that three of the nine members of the commission shall be Duval County registered voters appointed by the commission and confirmed by Council.

Mr. Paul received a bachelor's degree in business administration from the University of North Florida and a bachelor's degree in finance from the University of Florida. He is a Certified Public Accountant and is the Vice President for Internal Audit with *Regency Centers*. Mr. Paul resides in the Julington Creek area within Council District #6.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-243

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Sheriff's appointment of Laurence C. Pritchard to the Jacksonville Ethics Commission, for a partial term beginning April 3, 2012, and ending December 31, 2012.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the Sheriff and confirmed by Council.

Mr. Pritchard received a law degree from the University of Florida and is a retired Assistant State Attorney. He resides in Duval County.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-244

Sponsor: Council President at the request of the State Attorney

Date of Introduction: April 10, 2012

Committee(s) of Reference: R

Date of Analysis: April 6, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the State Attorney's reappointment of L.E. Hutton to the Jacksonville Ethics Commission, for a second full term ending December 31, 2014.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the State Attorney for the Fourth Judicial Circuit and confirmed by Council.

Mr. Hutton received a law degree from the University of Florida and is an attorney in private practice with *Willis, Ferebee & Hutton*. He is a former Assistant State Attorney and resides in Duval County.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2012-248

Introducer/Sponsor(s): Council President at the request of the Sheriff

Date of Introduction: April 10, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: April 12, 2012

Type of Action: Appropriation; authorization to execute contribution agreement; authorization of lease and user agreement

Bill Summary: The bill appropriates \$900,000 from the Special Law Enforcement Trust Fund to Edward Waters College as a contribution toward the cost of constructing a combination criminal justice education building/police substation on the campus. The bill authorizes execution of a contribution agreement with the college and authorizes a lease and use agreement for the City's use of portion of the building as a police substation.

Background Information: The estimated cost of the proposed building is \$2.68 million, of which the Sheriff will contribute \$900,000, Edward Waters College \$750,000 and private donors \$1,030,000. The facility will combine a JSO substation with classroom space for the college's criminal justice program, all of which will be located on the Edward Waters campus in the City's New Town Success Zone. The contribution agreement between the City and the college provides that EWC may hold the City's \$900,000 contribution until such time as sufficient private donations are received to allow construction of the project to begin, but provides for reversion of the funds back to the City if the City and EWC fail to enter into a mutually agreeable lease and use agreement, or if the building is not constructed and the City's contribution utilized for construction costs within 18 months of the effective date of this ordinance.

The proposed lease and use agreement authorizes the City to utilize a total of 10,500 square feet of space in the building (a portion of the first floor and the entire second floor) as a police substation, along with exclusive use of 30 parking spaces. The City's space will contain a zone commander's office, several lieutenant offices, roll call room, conference room, break room, and waiting area and counter for public transactions with the JSO. The college will be responsible for utilities and maintenance, the City for installation and maintenance of any specialized security equipment. While increased police presence will be a natural result of use of the building as a police substation, the City makes no promise of any increased level of police service to the college. The agreement is terminable by the City upon 90 days written notice, with or without cause.

Policy Impact Area: Public safety

Fiscal Impact: The bill appropriates \$900,000 from the Special Law Enforcement Trust Fund

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2012-249

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: R, F, RCDPHS

Date of Analysis: April 12, 2012

Type of Action: Appropriation; request for emergency action

Bill Summary: The bill re-appropriates \$301,192 in U.S. Department of Homeland Security grant funds within the Fire and Rescue Department budget from salary, benefits, travel, maintenance and repairs, and training accounts to the purchase of ballistic helmets, generators and pulse oximeters (devices for measuring the dissolved oxygen content in the bloodstream). Although the bill states that emergency action is requested, the administration has since stated that emergency action is not required.

NOTE: Although not mentioned in the bill title, the B.T. also allocates small amounts to Special Pay (\$235), Pension (\$7,000) and Unemployment Insurance (\$3957), which is a clean-up action to fill funding shortages in those three personnel-related accounts.

Background Information: The Department of Homeland Security had been granting the City extensions to the expenditure deadline for this 2009 UASI grant but has now informed the City that the funds must be expended immediately. Because the federal grant expenditure deadline has been advanced, the Fire and Rescue Department is transferring the grant funding from salary, benefits, travel and training accounts to the purchase of equipment which can be completed more rapidly. Companion bill 2012-250 re-appropriates money from the 2010 UASI grant to fill the gap in salary and benefits funding created by this transfer to equipment funding.

Policy Impact Area: Public safety

Fiscal Impact: The bill re-appropriates \$301,192 in federal grant funds within the Fire and Rescue Department's budget from personnel and training expenses to equipment purchases.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2012-250

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: April 10, 2012

Committee(s) of Reference: R, F, RCDPHS

Date of Analysis: April 12, 2012

Type of Action: Appropriation; request for emergency action

Bill Summary: The bill re-appropriates \$634,076 in U.S. Department of Homeland Security grant funds within the Fire and Rescue Department budget from overtime salaries, travel, training, repairs and maintenance, and equipment purchases to the purchase of bomb blast protection, computer equipment, professional services for planning and training exercises, and reallocates salary and benefits for the Jacksonville Urban Areas Security Initiative. Although the bill states that emergency action is requested, the administration has since stated that emergency action is not required.

Background Information: The Department of Homeland Security had been granting the City extensions to the expenditure deadline for this 2010 UASI grant but has now informed the City that the funds must be expended by 2013. Companion bill 2012-249 re-appropriates money from the 2009 UASI grant, which must be expended this year, from salary and benefits to equipment funding within the JFRD budget. This bill re-appropriates money in the 2010 UASI grant to salary and benefit accounts to compensate for that re-appropriation of the 2009 funding, and changes the list of equipment to be purchased with the 2010 grant.

Policy Impact Area: Public safety

Fiscal Impact: The bill re-appropriates \$634,076 in federal grant funds within the Fire and Rescue Department budget for equipment purchases, professional services and salary and benefits for the UASI.

Analyst: Clements