

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-197

Introducer/Sponsor(s): Council Member Shad

Date of Introduction: March 24, 2011

Committee(s) of Reference: R, F

Date of Analysis: April 14, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends the Ordinance Code to create a new Chapter 602 – Ethics Code – to implement the provisions of the recent City Charter amendment establishing an Ethics Code, mandating an Ethics Commission, and otherwise dealing with ethics matters. The new chapter creates an Office of Ethics, Compliance and Oversight to be housed in the Office of General Counsel, but to be separately budgeted and accounted for within the OGC. The employees of the office are to be selected by the Ethics Commission. The bill provides for a Director of the Office of Ethics, Compliance and Oversight who shall be appointed by the Ethics Commission for a 5-year term and whose employment may be terminated early by the Commission only for cause after a public hearing. The selection process for the Director shall include ex-officio, non-voting representatives of the Mayor and City Council President who shall provide input as to the selection. The office shall be staffed within the limits of available funding appropriated by the Council, with supplemental assistance to be made available by the Office of General Counsel and the Council Auditor’s Office upon request by the Director.

The bill provides for the duties of the Office, which include City-wide ethics training, education, encouragement, and assistance, administration of an ethics telephone “hotline”, development of an ethics plan and annual ethics report, investigation of ethics complaints, cooperation with other ethics investigatory agencies, and response to requests for interpretations and opinions on matters related to the Ethics Code. The bill requires the Mayor, Council President, City department heads, constitutional officers and independent agency directors to appoint an Ethics Officer for each governmental entity to help in the development of agency internal ethics plans and to serve as liaisons to the Ethics Commission and Ethics Office. The bill provides for “whistleblower” confidentiality and protection.

The bill states that the provisions of the Ethics Code in the Charter and Ordinance Code apply to the officers and employees of the independent agencies and are subject to the jurisdiction of the Ethics Commission and Ethics Office. It provides for a transition from the current Ethics Officer structure and budget to the new system in conjunction with the FY11-12 budget process.

Background Information:

Policy Impact Area: Ethics

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-200

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

Date of Introduction: April 12, 2011

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

Date of Analysis: April 14, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 123 – Public Fees – to exempt the State Attorney’s Office from the payment of fees for copies of fire incident and rescue reports.

Background Information: The State Attorney’s Office has requested an exemption from the payment of the fees for fire and rescue incident reports, which the office uses in its criminal investigations, in order to save money in a time of budget stress. The Fire and Rescue Department provided the following figures on reports requested by the State Attorney’s Office for the past 6 months (October 2010 – March 2011):

Fire reports – 145 @ \$3.00 = \$435
Rescue reports – 148 @ \$5.00 = \$740

Total cost - \$1,175

Policy Impact Area: Public fees exemption

Fiscal Impact: The exemption would cost the City \$2,000 - \$3000 in annual revenue

Analyst: Clements

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Bill Type and Number: Ordinance 2011-201

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: April 12, 2011

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

Date of Analysis: April 14, 2011

Type of Action: Appropriation/Request for Emergency

Bill Summary: This bill appropriates \$99,750 in private grant funds targeting 1,160 feline spay and neuter surgeries, 900 canine surgeries, and 2,600 surgeries for free-roaming cats in ZIP Code 32210. Emergency passage is being requested as the private entity to which the grant funding is to pass (First Coast No More Homeless Pets) is already performing under the grant agreement and has not been paid for services rendered.

Background Information: The funding has been provided by PetSmart Charities, Inc.

Policy Impact Area: Animal Care and Protective Services; Grants

Fiscal Impact: Undetermined; \$99,750 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-202

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 12, 2011

Committee(s) of Reference: TEU

Date of Analysis: April 15, 2011

Type of Action: Utilities Easement Closure

Bill Summary: This ordinance closes and abandons, and/or disclaims, a portion of a drainage and utilities easement located at 1633 Berwick Road, in Council District 5, established via Plat Book 15, Pages 94 and 94A of the current public records of Duval County, Florida, at the request of Thomas Reiter, owner of the property in which the easement lies, so as to allow for the construction of an addition to his garage, such easement containing no infrastructure and no future need of such easement being anticipated.

Background: The applicant for the easement closure has paid a \$500 closure application fee. There are no adjacent property owners. The request for the easement closure was routed to all government agencies which might have an interest in this matter, There is no anticipation of future need for the easement.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant for the easement closure has paid a \$500 closure application fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-203

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 12, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: April 15, 2011

Type of Action: Lease Agreement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, that certain lease agreement between the City of Jacksonville (lessor) and Il C. Kim (lessee), said lease being for five (5) years, with one (1) option to renew for an additional five (5) years, for 1,875 square feet on the first floor of the Ed Ball Building at 214 N. Hogan Street, at an initial monthly rate of \$2,890.63, with a three percent (3%) annual escalation.

Background: Mr. Il C. Kim, lessee, is the proprietor of Victoria's Café on the ground floor of the Ed Ball Building; the café serves a breakfast and lunch clientele.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The ordinance approves/authorizes a lease whose initial monthly rate is \$2,890.63.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-204

Sponsor: TEU Committee

Date of Introduction: April 12, 2011

Committee(s) of Reference: R, TEU

Date of Analysis: April 14, 2011

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Republic Services of Florida, LP for an industrial project known as Southland Recycling Services. The fair share assessment is \$303,037 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 153 p.m. peak hour trips being generated on links in fair share fund sector 5.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Old Kings Road – Edgewood Avenue to Plummer Road	14
Imeson Road – Pritchard Road to Garden Street	54
Garden Street – Imeson road to Old Kings Road	21
Trout River Boulevard – Old Kings Road to New Kings Road	19
Pritchard Road – Imeson Road to I-295	45

Background Information: The project consists of a 120,000 square foot solid waste recycling facility on 80 acres on Imeson Road between Moncrief Road West and Garden Street in Council District 8.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$303,037 to the Sector 5.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-205

Sponsor: Council President at the request of the Jacksonville Historic Preservation Commission:

Date of Introduction: April 12, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 15, 2011

Type of Action: Landmark Designation

Bill Summary: This ordinance regards Chapter 307 (Historic Preservation), *Ordinance Code*; the ordinance designates the Catherine Street Fire Station #3 located at 1406 Gator Bowl Boulevard, in Council District 7, Jacksonville, Florida, as a landmark; the ordinance directs the Zoning Administrator to enter the landmark designation on the Zoning Atlas; directs the Chief of Legislative Services to notify each applicant, the property owner and the Property Appraiser of the landmark designation and to cause said designation to be recorded in the public records of Duval County, Florida.

Background: The Catherine Street Fire Station #3 served as one of the first fire stations in Jacksonville; it was constructed approximately ten months after the Great Fire of 1901 and was manned exclusively by a crew of African-American firefighters until 1905. The property owners within 350 feet of the boundaries of the subject property have been notified of the intent to designate the property as a landmark; the property owners include Channel Twelve of Jax Inc (1070 E Adams Street); North Bank Developers, LLC (10739 Deerwood Park Suite #300); City of Jacksonville, Public Works/Real Estate Division, 214 N. Hogan Street). The structure is currently utilized as home of the Jacksonville Fire Museum.

Policy Impact: Historic Preservation/Jacksonville Historic Preservation Commission

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-206

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 12, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 14, 2011

Type of Action: Amendment to previous DRI ordinance

Bill Summary: The bill amends the Development of Regional Impact ordinance for the Southeast Quadrant of Deerwood Park by decreasing the amount of general office development rights to 2,381,232 square feet and by extending the build-out and termination dates for the DRI to December 31, 2021. The bill finds that the changes and modifications do not constitute a substantial change to the DRI.

Background Information: The Deerwood Park Southeast Quadrant DRI was originally approved in 1986 with a final build-out date of December 31, 2013. The bill proposes to extend the build-out date by 8 years to 2021. The bill proposes to decrease the allowable square footage for general office uses from 2,445,232 sq. ft. to 2,381,232 sq. ft. in order to decrease the maximum p.m. peak hour trips in the Southeast Quadrant portion of Deerwood Park as an offset for an increase in the p.m. peak hour trip allocation for the Northeast Quadrant of the Deerwood Park DRI which is being requested by separate action (see companion Ordinance 2011-207).

Policy Impact Area: DRI amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-207

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 12, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 14, 2011

Type of Action: Amendment to previous DRI ordinance

Bill Summary: The bill amends the Development of Regional Impact ordinance for the Northeast Quadrant of Deerwood Park by increasing the amount of general office development rights to 3,882,696 square feet, to decrease the commercial development rights to 496,443 square feet, to increase the maximum general office development rights in the minimum/maximum table to 4,000,000 square feet and to extend the build-out and termination dates to December 31, 2021. The bill finds that the changes and modifications do not constitute a substantial change to the DRI.

Background Information: The Northeast Quadrant Deerwood Park DRI was originally approved in 1974 with a final build-out date of December 1, 2012. The bill proposes to extend the build-out date by 9 years to 2021. The bill proposes to increase the allowable square footage for general office uses from 3,382,696 sq. ft. to 3,882,696 sq. ft., to decrease the commercial development rights from 506,443 sq. ft. to 496,443 sq. ft., and to increase the maximum General Office development rights in the minimum/maximum table from 3,500,000 to 4,000,000 sq. ft. The increase in maximum p.m. peak hour trips in the Northeast Quadrant portion of Deerwood Park resulting from these changes would be offset by a decrease in the p.m. peak hour trip allocation for the Southeast Quadrant of the Deerwood Park DRI which is being requested by separate action (see companion Ordinance 2011-206), for no net increase in trip generation caused by the changes.

Policy Impact Area: DRI amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2011-208

Introducer/Sponsor: Transportation, Energy and Utilities Committee

Date of Introduction: April 12, 2011

Committee(s) of Reference: TEU

Date of Analysis: April 14, 2011

Type of Action: Consideration of Addressing Appeal

Bill Summary: This bill provides for Council review of the proceedings for the address change regarding 4168 Southpoint Parkway, Suite 200, to 6874 Southpoint Parkway, Suite 200, and for consideration of the recommendations of the Transportation, Energy and Utilities Committee (TEU) and the arguments of the parties. The bill is to be amended to state the final determination of the appeal. Legislative Services is directed to mail a copy of the resolution to the property owner and any other parties who testify before the TEU Committee.

Background Information: The Emergency 911 Addressing Advisory Committee determined that the property currently located at 4168 Southpoint Parkway, Suite 200, and owned by Auld and White Holdings, LLC, contains an out-of-sequence address number. Said committee corrected the address by reassigning a new address (6874 Southpoint Parkway, Suite 200) for the property. The property owner has filed a notice of appeal.

Policy Impact Area: Addressing; Public Safety; Appeals

Fiscal Impact: To be determined

Analyst: Campbell

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Bill Type and Number: Resolution 2011-209

Introducer/Sponsor(s): Council Member Reggie Brown

Date of Introduction: April 12, 2011

Committee(s) of Reference: R, LUZ

Date of Analysis: April 14, 2011

Type of Action: Support for community contribution tax credit application

Bill Summary: The bill expresses the City's support for the application by Community Rehabilitation Center, Inc. to participate in the state's Community Contribution Tax Credit program for a project to rehabilitate surplus house trailers into classrooms and other uses for CRC clients on Beechwood Street in the Brentwood area.

Background Information: The Community Contribution Tax Credit allows corporations making contributions of cash or goods to approved not-for-profit organizations to take a credit against their corporate income taxes for the amount of the donation. The CRC proposes to renovate several donated trailers into classroom space, a computer room, an activity room and office space to serve its clients. The Planning Department has certified that the proposed project is consistent with the 2030 Comprehensive Plan, the Metro North Neighborhood Action Plan and the Brentwood-Northshore Neighborhood Plan.

Policy Impact Area: Support for community not-for-profit organization

Fiscal Impact: None to City. If the state approves the application it would permit corporations to obtain state corporate tax credits for contributions to the approved project.

Analyst: Clements

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Bill Type and Number: Resolution 2011-218

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 12, 2011

Committee(s) of Reference: R

Date of Analysis: April 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Geneva P. Henderson, CLS as a member of the Jacksonville Housing Authority, for a second full term ending September 16, 2013.

Background Information: The Jacksonville Housing Authority is established pursuant to Chapter 51A, *Ordinance Code*, and charged to within its area of operation, prepare, carry out, acquire, lease, and operate housing projects; provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103(a), *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation by the Council.

Ms. Henderson is a licensed Real Estate Broker and an Executive Vice President with Lat Purser & Associates, Inc. She resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-219

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 12, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 14, 2011

Type of Action: Sign Waiver

Bill Summary: This bill considers the recommendation of the Land Use and Zoning Committee concerning zoning waiver SW-11-3, stating that the Council has reviewed the Staff Report of the Planning and Development Department. Legislative Services is directed to mail of copy of the enacted legislation to specified parties.

Background Information: Hodges Boulevard Presbyterian Church, Inc., the owner of property located at 4140 Hodges Boulevard between Chets Creek Boulevard and Hunt Club Road, has filed this application for a waiver of requirements for signs to allow internal lighting of a sign in a Residential Medium Density-A (RMD-A) zoning district.

Policy Impact Area: Signs; Waivers; Planning and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2011-227

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 12, 2011

Committee(s) of Reference: R

Date of Analysis: April 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Sashi Y. Brown as a member of the Jacksonville Housing Authority, for a second full term ending September 16, 2014.

Background Information: The Jacksonville Housing Authority is established pursuant to Chapter 51A, *Ordinance Code*, and charged to within its area of operation, prepare, carry out, acquire, lease, and operate housing projects; provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103(a), *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation by the Council.

Ms. Brown received a law degree from Harvard Law School and is an Assistant General Counsel with the *Jacksonville Jaguars, LTD*. She resides within Council District #13.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-228

Sponsor: Council President Webb and at the request of the Mayor

Date of Introduction: April 12, 2011

Committee(s) of Reference: R

Date of Analysis: April 8, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Council President's and Mayor's joint appointment of Ricardo A. Bedoya as a member of the Jacksonville Journey Oversight Committee, replacing Jeff Chartrand for a term ending December 31, 2014.

Background Information: The Jacksonville Journey Oversight Committee was initially established via Ordinance 2008-555-E and continued via Ordinance 2010-557-E. The Committee is charged to in concert with the City's grant making agencies, establish the short, intermediate, and long term, measurement and reporting systems for Jacksonville Journey funds; issue an annual community-wide report card on the progress of funded Jacksonville Journey programs; make annual recommendations on programs to be funded based on each program's prior year's performance; continue the data gathering and public policy innovation initiated by the Jacksonville Journey for further refinement and consideration of the program; advocate for the investment of new public and private dollars as well as state and federal policy initiatives to ensure a safer city. The nine members of the committee are appointed jointly by the Council President and Mayor.

Mr. Bedoya received a law degree from Vanderbilt University School of Law and is an Associate with *Holland & Knight*. He resides in the Southside area within Council District #4.

Policy Impact Area: Jacksonville Journey Oversight Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-230

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

Date of Introduction: April 12, 2011

Committee(s) of Reference: TEU, LUZ

Date of Analysis: April 14, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 320 – Construction Regulations/General Provisions, Chapter 654 – Code of Subdivision Regulations, and the City’s Land Development Procedures Manual to incorporate new language regarding the City’s ash site management plan into the City’s development codes as required by the settlement agreement between the City and the U.S. EPA.

Background Information: The addition to the Construction Regulations chapter adds language to the section regarding compliance of new building with all applicable laws, rules and regulations to include the ash site settlement requirements as a regulation that must be complied with. The addition to the Code of Subdivision Regulations adds a design standard requiring that any development in one of the designated ash sites must comply with the Ash Management Plan and be approved by the EPA. The new section in the Land Development Procedures Manual covers procedures for: identification of ash sites, notification to City and federal authorities when ash is discovered during the development process, handling, storage, transportation and disposal of ash, and documentation of all ash handling and disposal activities.

Policy Impact Area: Ash site settlement agreement compliance.

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-231

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 12, 2011

Committee(s) of Reference: F

Date of Analysis: April 15, 2011

Type of Action: Appropriation; Ordinance Amendment; Grant Agreement Amendment Approval

Bill Summary: The ordinance reallocates funding in the amount of \$58,453, originally allocated to Project SOS under Ordinance 2010-557-E, to Lutheran Social Services, Second Harvest North Florida Food Bank (the "Food Bank") in order to enable the Food Bank to gather, transport and distribute donated and surplus food to organizations serving the priority populations of homeless and low income persons and families; the ordinance amends Ordinance 2010-557-E by attaching a new Schedule A-2; it approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, the First Amendment to 2010-2011 Public Service Grant Agreement; provides for City oversight by the Department of Recreation and Community Services; requires a report to the Council Auditors.

Background: Project SOS withdrew its funding request due to a change in their scope of service. There are 27 of the 57 FY 2011 Public Service Grant recipients that are a member organization of the Second Harvest North Florida food bank. The reallocated funds will be used to gather, distribute and transport donated and surplus food to only FY 2011 Public Service Grant recipients. It is estimated that more than 200,000 pounds of food will be distributed by September 30, 2011. The grant period is from date of Ordinance enactment – September 30, 2011. No transfer of funds is required since this is a reallocation of funds within the same line item of the budget.

Policy Impact: Recreation & Community Service Department/Public Service Grants

Fiscal Impact: This ordinance reallocates funds, previously appropriated, in the amount of \$58,453.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-232

Introducer/Sponsor(s): Council Member Shad

Date of Introduction: April 12, 2011

Committee(s) of Reference: R

Date of Analysis: April 14, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapters 601 - Offenses Against Operations of Government, and 602 – Ethics Code, to reorganize and renumber the chapter sections and to remove redundant or unnecessary sections in preparation for implementation of the changes that will be caused by the recently approved City Charter amendment on ethics. The only substantive change is a revised Section 602.1213 – Penalty Provisions which provides that, unless otherwise specifically set forth in another section, any violations of Chapter 602 shall be a Class C offense.

Background Information: After considerable discussion by the Charter Revision Commission and the City Council on ethics issues, the Council amended the City Charter to establish a new Ethics Code, to specifically mandate creation of an Ethics Commission, and to revise various ethics, education and training, and gift disclosure requirements. This bill reorganizes and renumbers the sections in Chapters 601 and 602 of the Ordinance Code to match the outlines of the new charter section in preparation for the enactment of subsequent ethics ordinance that will fill in the details and provide for the implementation of the charter amendment.

Policy Impact Area: Ethics

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2011-233

Sponsor: Council Member R. Brown:

Date of Introduction: April 12, 2011

Committee(s) of Reference: F

Date of Analysis: April 15, 2011

Type of Action: Public Facility Naming; Ordinance Code Amendment

Bill Summary: This ordinance names the community center located at 5130 Soutel Drive, Jacksonville, in Council District 10, to Legends Community Center; the ordinance creates a new Section 111.186 (Legends Community Center Capital Improvement Trust Fund), *Ordinance Code*, to create a trust fund for Legends Center for fees, gifts and other donations to be captured and expended on capital improvements; the ordinance approves a restricted schedule of rates and fees for Legends Community Center Gymnasium and Fitness Center, submitted to City Council in accordance with Section 28.404 (Division Chief to submit schedule of fees to Council); the ordinance amends Section 123.102 (Fees Established), *Ordinance Code*, to establish a membership fee for use of Legends Center.

Background: The community center is currently referred to as Northwest Community Center. Citizens in the community felt that it would be appropriate to name the center Legends to honor and commemorate the numerous legendary figures in the community whose contributions to the world of sports, public service, education and other endeavors were milestones worthy of recognition. Monies deposited in the fund created by this legislation shall be expended only for the specific purpose of financing capital improvements. Funds utilized for the purchase of capital improvements are appropriated without the need for further Council action. The Director of Finance is authorized and directed to make disbursements from the fund upon written requisition from the Director of Recreation & Community Services. The Director of Recreation and Community Services shall provide a report of receipts and disbursements to the Legends Center to the Council Auditor no later than June 30 annually.

Policy Impact: Public Facilities/Ordinance Code/Recreation and Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-234

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

Date of Introduction: April 12, 2011

Committee(s) of Reference: RCD; F

Date of Analysis: April 15, 2011

Type of Action: Budget Approval

Bill Summary: This ordinance approves the Harbour Waterway Special District proposed Fiscal Year 2011/2012 Budget, per Ordinance 2010-725-E and Section 189.4041, Florida Statutes.

Background: The City established the Harbour Waterway Special District, per Ordinance 2010-725-E and Section 189.4041, Florida Statutes, as a dependent special district for the purpose of dredging and maintaining the Harbour Waterway canal system. The district is located in Council District 1. The district's elected board of supervisors has the authority to impose a non-ad valorem assessment for residential units that have access to the canal and parcels used for a marina. Per Ordinance 2010-725-E, the district is required to submit its proposed budget to the City Council every year by April 1st. The district has submitted its proposed Fiscal Year 2011-2012 budget. The district for Fiscal Year 2011-2012 will have zero revenues and zero expenses. The first proposed Non-Ad Valorem tax assessment will occur in November, 2012.

Policy Impact: Special Districts

Fiscal Impact: None

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-235

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

Date of Introduction: April 12, 2011

Committee(s) of Reference: F

Date of Analysis: April 14, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 120 – General Employees and Corrections Officers Retirement Plan with regard to time service connection to extend by 7 months, from February 28, 2011 to October 1, 2011, the deadline for pension plan members hired before March 1, 2009 to apply for unlimited time service connection for prior service with the City government or related agencies as specified in the Code. The bill also repeals Section 120.210 – Transfer of Terminal Leave (General Employees plan) and Section 120.310 – Transfer of Terminal Leave (Corrections Officers plan) to eliminate one of the employee options for applying accrued terminal leave which has been prohibited by the Internal Revenue Service.

Background Information: By Ordinance 2007-1136-E the City enacted a limitation on the ability of employees to buy back for pension coverage purposes previous employment with the City or other related agencies (independent authorities, School Board, constitutional officers, State Attorney, Public Defender, etc.), limiting employees hired on or after March 1, 2009 to the purchase of 10 years of prior service time. Employees hired before March 1, 2009 were given a window of opportunity until February 28, 2011 to continue connecting an unlimited amount of prior service time. After the February 2011 deadline the 10 year maximum purchase limitation would apply. This bill extends the deadline from February 28 to October 1, 2011. Sections 120.210 and 120.310 gave retirees several options for payout of accrued leave upon termination of employment into a qualified retirement plan or into a special account for payment of post-retirement health care premiums, all of which IRS has subsequently determined are not an allowable. The payout of terminal leave is controlled either by collective bargaining agreements or by the City's leave plans for non-represented employees.

Policy Impact Area: Pension time service connection; terminal leave payout options

Fiscal Impact: Undetermined

Analyst: Clements

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LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
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Bill Type and Number: Ordinance 2011-236

Sponsor: Council Member Holt:

Date of Introduction: April 12, 2011

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

Date of Analysis: April 15, 2011

Type of Action: First Amendment Authorization; Ordinance Code Waiver

Bill Summary: This ordinance authorizes the Mayor and the Corporation Secretary to execute a First Amendment to the Grant Funding Agreement between the City of Jacksonville and the Dinsmore Civic Association, Inc. for funding assistance for the purchase of furniture and equipment; the ordinance waives conflicting provisions of Section 110.112, *Ordinance Code*, to allow for advance funding; the ordinance appoints the Department of Recreation and Community Services to oversee the project.

Background: In Ordinance 2010-872-E, the Council appropriated \$27,543.07 for the purpose of funding the purchase of furniture and equipment for the Dinsmore Historical Museum in Council District 11. The agreement between the City and the Dinsmore Civic Association provided that the funds were to be used on a reimbursement basis or a draw basis. The Civic Association would like to purchase the furniture and equipment all at one time and allow the City to review the purchases and make one payment for the approved purchases. The First Amendment would enable the Dinsmore Civic Association to have the previously appropriated funds in advance. The provisions of Section 110.112, *Ordinance Code*, prohibits the advance of City funds; this ordinance waives that provision.

Policy Impact: Recreation & Community Services Department

Fiscal Impact: None

Analyst: Jackson