

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2013-245

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

Date of Introduction: April 23, 2013

Committee(s) of Reference: F

Date of Analysis: April 25, 2013

Type of Action: Authorizing economic redevelopment agreement; incentive funding commitment

Bill Summary: The bill authorizes execution of an economic redevelopment agreement between the City and the Bruss Company for the development of a meat processing operation that would create 200 new, full-time jobs in the city. The City would commit to funding up to \$100,000 in local match to a state Brownfield Redevelopment Bonus and would provide a \$400,000 large-scale project grant from the Northwest Economic Development Fund. The City agrees to designate the proposed project site on West 5th Street as a brownfield for purposes of qualifying the project for the state brownfield bonus. The Office of Economic Development is designated as the City's oversight agency and the project is declared to be in compliance with the City's Public Investment Policy.

NOTE: the Project Summary attached as Exhibit 1 contains several dates that appear not to have been updated to reflect the passage of 2 years since the adoption of the original ordinance, which will require amendment.

Background Information: By Ordinance 2011-728-E the City approved this same economic development deal with the Bruss Company. Due to delays in the environmental remediation process, the economic redevelopment agreement was not signed by the company in a timely manner and the offer was automatically revoked as proved by 2011-728-E. The Bruss Company is a 300-employee subsidiary of Tyson Foods, which is a meat processing company headquartered in Chicago. The company plans to open a new processing plant in the Southeastern U.S. and has identified an existing vacant refrigerated 47,000 square foot warehouse on West 5th Street as a potential site to locate 200 new employees with an average annual wage of \$31,000 plus benefits. Capital investment in plant renovation and equipment is approximately \$7.2 million. The company is seeking a total of \$1.2 million in incentives: Brownfield Redevelopment Bonus - \$400,000 state, \$100,000 local; Northwest Jacksonville Economic Development Fund large-scale grant - \$400,000 local; Quick Response Training Program - \$300,000 state.

Policy Impact Area: Economic redevelopment

Fiscal Impact: The City commits to paying a local match of \$100,000 to the state's Brownfield Redevelopment Bonus and to make a \$400,000 grant from the Northwest Jacksonville Economic Development Fund.

Analyst: Clements

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Bill Type and Number: Resolution 2013-246

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

Date of Introduction: April 23, 2013

Committee(s) of Reference: F

Date of Analysis: April 25, 2013

Type of Action: Authorizing economic redevelopment agreement; incentive funding commitment; waiver of City Public Investment Policy provision

Bill Summary: The bill authorizes execution of an economic redevelopment agreement between the City and Railex, LLC for the creation of a multi-modal logistics center that would create up to 310 new full-time jobs over 5 years. The City commits to funding a local match of up to \$341,000 for a state QTI grant with brownfield bonus and authorizes a Recapture Enhanced Value (REV) grant of up to \$1.6 million. The Office of Economic Development is designated as the oversight agency for the project. The bill waives that portion of the City's Public Investment Policy that requires a minimum project evaluation matrix score in order to qualify for a 50% REV grant for 10 years.

Background Information: Railex, LLC was founded in 2005 and provides expedited, refrigerated train service to the food, beverage pharmaceutical and manufacturing industries. The company proposes to purchase 18 acres of land within the Florida East Coast Railroad marshaling yard on Philips Highway on the Southside, on which it will construct a 252,000 square foot refrigerated warehouse/logistics center to load refrigerated cargo onto trains as part of a coast-to-coast temperature-controlled rail cargo network. The company plans to hire 310 new full-time employees at an average salary of \$47,581 generating an annual payroll of \$17.3 million. The company's capital investment in the logistics center/warehouse, equipment, furniture and fixtures and refrigerated rail cars and intermodal trailers is estimated at \$105.7 million. The Public Investment Policy waiver is requested to allow an increase in the REV grant from the standard 35% of new property tax equivalence over 5 years to 50% over 10 years. The state will be contributing \$6,829,000 in incentives to attract the project.

Policy Impact Area: Economic redevelopment

Fiscal Impact: The City commits to funding a local match of up to \$341,000 for a state QTI grant with brownfield bonus and authorizes a Recapture Enhanced Value (REV) grant of up to \$1.6 million.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-247

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

Date of Introduction: April 23, 2013

Committee(s) of Reference: F

Date of Analysis: April 25, 2013

Type of Action: Authorizing amendment to previously approved economic redevelopment agreement

Bill Summary: The bill authorizes a first amendment to the economic redevelopment agreement entered into between the City and Whertec, Inc. in 2009 to revise the performance schedule to extend the job creation timeline for an additional year through December 31, 2014. The Office of Economic Development is designated at the oversight agency for the project as the successor to the JEDC.

Background Information: Ordinance 2009-562-E authorized a City QTI match of up to \$48,600 to the state's \$194,400 to incentivize the company to create 81 new jobs at a site on Hammond Road on the Westside where the company is a metal heat treating fabricator of metal plates, thermal coatings for boilers, tanks and pressurized vessels. Due to environmental remediation requirements which delayed the company's acquisition of the property, job creation has happened more slowly than the 3-year timeline in the original agreement. This bill adds an additional year, through December 31, 2014, for the company to create all 81 promised jobs.

Policy Impact Area: Economic redevelopment

Fiscal Impact: None - extends the deadline by one year for the company to achieve its job creation goal and achieve its full incentive.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-248

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: April 25, 2013

Type of Action: Appropriation

Bill Summary: This ordinance is an appropriation of a continuation grant. The ordinance appropriates \$1,765,464 (\$1,324,098 from the U.S. Department of Justice, Office of Justice Programs and \$441,336 of in-kind contribution of City personnel time) to provide funding for the Department of Justice – Office of Juvenile and Delinquency Prevention/Juvenile Drug Court’s (JDC) Reclaiming Futures Program serving drug-abusing juvenile offenders, as initiated by B.T. 13-049; provides for a carryover of funds to fiscal year 2013-14/

Background Information: the purpose of this appropriation is to provide funding for programs to serve drug-abusing juvenile offenders. The grant is to enhance substance abuse and mental health treatment services in the Juvenile Drug Court program using a coordinated treatment strategy in a non-adversarial team setting. The program implements the Reclaiming Futures and 7 Challenges models and is a collaborative venture among the JDC, State Attorney’s Office, the Public Defender and River Region Human Services, Inc. The programs provide screening, assessment, case management, alcohol and drug treatment, mental health services, recovery support services, and program coordination for defendants.

Policy Impact: Juvenile courts/drug court

Fiscal Impact: The ordinance appropriates \$1,765,464 in federal grant funds \$1,324,098 from the Department of Justice) and \$441,336 in local in-kind match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-249

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

Date of Introduction: April 23, 2013

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

Date of Analysis: April 25, 2013

Type of Action: Appropriation; authorization to execute reimbursement and construction and maintenance agreements; mid-year CIP amendment

Bill Summary: The bill appropriates \$2 million in FDOT grant funding and reappropriates \$2,280,191.14 from the Northbank Riverwalk Renovations project to provide \$4,870,194.14 for the Artist Walk Extension project. The bill authorizes the Mayor or his designee to execute an agreement with the FDOT for receipt of the \$2 million grant (in the form of a reimbursement agreement for FDOT funding of work completed by the City) and to execute agreements required for the City to construct and maintain the improvements on FDOT right-of-way. The bill amends the 2012-17 Capital Improvement Program to reduce funding for the Northbank Riverwalk Renovations project and to increase funding for the Artist Walk Extension project. The bill finds the deferral of the CIP amendment to the next budget cycle would be detrimental to the public interest because the FDOT grant funding agreement must be executed prior to the end of the state's fiscal year on June 20, 2013.

Background Information: The Artist Walk Extension project consists of installing hardscape improvements, benches, lights, trash receptacles and the like to extend the Riverside Arts Market concept under I-95 from the riverfront to Riverside Park at Park Street in Five Points. Improvements will be made to turn the existing dry retention ponds into wet ponds with fountains.

Policy Impact Area: Northbank Riverwalk extension

Fiscal Impact: The bill appropriates \$2 million in FDOT grant funding and reappropriates \$2,280,191.14 from the Northbank Riverwalk Renovations project to provide \$4,870,194.14 for the Artist Walk Extension project.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-250

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2013

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

Date of Analysis: April 26, 2013

Type of Action: Appropriation; Agreement Approval; CIP Amendment

Bill Summary: The ordinance appropriates \$485,000 from the U.S. Environmental Protection Agency (EPA) to provide additional funding for the Lincoln Villas Septic Tank Phase Out project, as initiated by B.T. 13-054; it provides for a carryover of funds to subsequent fiscal years; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver the U.S. Environmental Protection Agency Grant Agreement between the City and EPA; the ordinance amends the 2012-2017 Five-Year Capital Improvement Program, approved by Ordinance 2012-434-E to provide additional funding for the project entitled "Lincoln Villas Sewer & Septic Tank IMP."

Background Information: The purpose of this ordinance is to appropriate grant funds from the US EPA to provide additional funding for the Lincoln Villas Septic Tank Phase Out project. Matching funds are provided by funds from the S. Johns River Water Management District grant previously appropriated. Fifty-four tributaries (water bodies) in Duval County have been identified as impaired for fecal coliform bacteria. An interagency group Tributary Assessment Team comprised of the Florida Department of Environmental Protection, the City of Jacksonville's Environmental Quality Division, the Public Works Department, Duval County Health Department and JEA was formed to bring the waterways into compliance for fecal coliform bacteria and improve the health of the St. Johns River and its tributaries. The Lincoln Villas area is located in Council District 10.

Policy Impact: Public Works/Engineering Division

Fiscal Impact: The ordinance appropriates \$485,000 (from the U.S. Environmental Protection Agency)

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-251

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2013

Committee(s) of Reference: PHS; F

Date of Analysis: April 26, 2013

Type of Action: Appropriation

Bill Summary: The ordinance appropriates, pursuant to Section 943.25, F.S., \$193,362 in funding from the Florida Department of Law Enforcement to be used only for advanced and specialized training for law enforcement and correctional officers and for administrative costs approved by the Criminal Justice Standards and Training Commission, and adopting the budget for the 2013-2014 Fiscal Year (7/1/13 – 6/30/14) for the Criminal Justice Training Trust Fund, as initiated by B.T. 13-055; provides for a carryover of funds to Fiscal Year 2013-2014.

Background Information: The funding in this appropriation is for advanced and specialized training for law enforcement and correctional officers in Duval County. The Criminal Justice Standards Training Commission is statewide. There are 16 regions throughout the State; Region 5 consists of Duval, Flagler, St. Johns and Nassau Counties. The Commission is comprised of local law enforcement officers such as the Airport Authority, the Sheriff's Office, but there is a representative from the School Board, as well. Funds for specialized training and administrative costs have to be approved by the Commission.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$193,362 in FDLE funds.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-252

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2013

Committee(s) of Reference: F; RCD

Date of Analysis: April 26, 2013

Type of Action: Appropriation

Bill Summary: The ordinance concerns a continuation grant. The ordinance appropriates \$1,246,020.67 in Neighborhood Stabilization Program (NSP) income received from loan repayments to provide funding for NSP administration and redevelopment activities, as initiated by B.T. 13-056; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State or Federal program grant.

Background Information: These particular loans are construction loans being repaid by developers who were selected from an RFP. The loans were for redevelopment projects that included the construction or rehabilitation of infill housing or vacant lands within the program's eligibility areas. The eligibility areas for these particular redevelopment projects are zip codes 32206, 32208 & 32209. Eligibility for the loans for developers and participants in the programs was on a first come, first served basis.

Policy Impact: Neighborhoods Department/Housing & Community Development Division

Fiscal Impact: The ordinance appropriates \$1, 246,020.67 in NSP program income.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-253

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2012

Committee(s) of Reference: F; RCD

Date of Analysis: April 26, 2013

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; it appropriates \$338,961 in State Housing Initiative Partnership ("SHIP") Program funding received from the Florida Housing Finance Corporation for the 2012-2013 grant period to be used for program administration and Homeowner Rehabilitation activities.

Background Information: "SHIP" funds are monies remanded to local communities for affordable housing programs. SHIP was created by the Florida Legislature in 1992 to enable local communities to address affordable housing needs. The program mandates that the State returns to local communities a portion of the taxes that the State levies on commercial property transactions (deed stamps). The State returns a portion of the deed stamp revenues each year in the form of SHIP funds for affordable housing. The funds are allocated to programs designed to expand the availability of decent and affordable housing for low and very low income individuals and families. Homeowner Rehabilitation activities include homebuyers counseling, downpayment assistance, rental rehabilitation, emergency rental assistance and homeowner repairs and renovation.

Policy Impact: Neighborhoods Department/Housing & Community Development Division

Fiscal Impact: The ordinance appropriates \$338,961 in State funds.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-254

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 23, 2013

Committee(s) of Reference: PHS; F

Date of Analysis: April 26, 2013

Type of Action: Appropriation

Bill Summary: The ordinance concerns a continuation grant; it appropriates \$435,000 by transferring the Court Administration's portion of the Arrest Grant directly into its own grant and grant detail, as initiated by B.T. 13-061; provides for a carryover of funds into subsequent fiscal years; provides for oversight by the Behavioral & Human Services Division of the Department of Special Services.

Background Information: The Arrest Grant, originally entitled the GTEAP, Grant to Encourage Arrest Program, emanates from the U.S. Department of Justice/Office of Violence Against Women. The grant enhances victim safety and offender accountability in cases of domestic violence, dating violence, sexual assault, stalking and increases the safety and security of domestic violence victims. The Chief Judge requested that the grant funds be available to the Court Administration; it is the intention of the Chief Judge to create a Domestic Violence Court, consisting of 13 judges that would adjudicate domestic violence issues. The grant is utilized by the Behavioral and Human Services Division, the State Attorney's Office, the Court Administration and Hubbard House. The Arrest Grant was previously appropriated by Ordinance 2012-433-E (the City's Annual Budget for FY 2012-2013).

Policy Impact: Special Services/Behavioral & Human Services Division

Fiscal Impact: The ordinance appropriates (transfers) \$435,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-255

Introducer/Sponsor(s): Council President at the request of the Jacksonville Housing Finance Authority

Date of Introduction: April 23, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: April 25, 2013

Type of Action: Amendment to prior ordinance;

Bill Summary: The bill amends prior Ordinance 2012-683-E to increase the amount of mortgage downpayment assistance to qualifying low- and moderate-income first time homebuyers from \$5,000 to \$7,500 per buyer and authorizes the Jacksonville Housing Finance Authority to make future changes to the Mortgage Credit Certificate (MCC) program without further City Council approval to the extent that reimbursement is available from third parties to cover any additional costs.

Background Information: The MCC program authorized by Ordinance 2012-683-E allowed the JHFA to participate in a mortgage credit certificate program initiated by the Housing Finance Authority of Hillsborough County to generate funds for single family mortgage assistance bonds, a portion of the proceeds of which could be used for downpayment assistance to qualifying low- and moderate-income first time home purchasers. The JHFA has determined that a higher amount of downpayment assistance is warranted and has executed a Memorandum of Understanding with the Florida Housing Finance Corporation to increase the maximum downpayment assistance amount to \$7,500.

Policy Impact Area: First-time home ownership assistance

Fiscal Impact: None to City; funds are provided through sale of private activity bonds.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-256

Sponsor: Council Member Holt:

Date of Introduction: April 23, 2013

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

Date of Analysis: April 26, 2013

Type of Action: Authorization for Agreement Amendment

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver the First Amendment to the Construction Agreement between CSX Transportation, Inc. and the City of Jacksonville for the construction of grade crossing and intersection improvements for Max Leggett Parkway at US-17; requesting emergency passage. The grade crossing site is located in Council District 11.

Background Information: The purpose of the First Amendment is to provide additional protections to the City from liabilities that may arise out of work done under the Construction Agreement between CSXT and the City. Such protections include adding the City as an additional named insured under the Commercial General Liability and Commercial Automobile Liability policies, requiring that all insurance policies provide a Waiver of Subrogation in favor of the City, requiring that the Contractor's Commercial General Liability policy be amended to include Contractual Liability – Railroads CG2417 (10/01) coverage.

The nature of the emergency is the need to provide ample time for the grade crossing and intersection improvements to be completed within the time frame set forth in the Third Amendment to the Fair Share Assessment Contract between the City and Signature Land, Inc., approved by Ordinance 2012-492-E.

Policy Impact: Railroad Crossings/Fair Share Agreements

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-257

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 23, 2013

Committee(s) of Reference: LUZ

Date of Analysis: April 25, 2013

Type of Action: DRI amendment; finding of no substantial deviation from original DRI

Bill Summary: Substantively, the bill amends the Jacksonville International Airport DRI (authorized by Resolutions 90-109-35, 91-1213-543, 97-990-A and 2000-286-A) to add 579 additional acres to the DRI and to provide for biennial reporting rather than annual reporting to the state on transportation and stormwater/wetland systems monitoring. Non-substantively, the bill inserts references to compliance with the 2030 Comprehensive Plan (which did not exist when the DRI was first adopted), makes numerous technical corrections such as agency names that have changed since the original adoption of the DRI (Florida DEO instead of DCA, North Florida TPO rather than MPO, etc.) and inserts the phasing extensions already authorized by Chapter 368, *Florida Statutes*, and approved by the Planning and Development Department into the DRI's development order (DO).

Background Information: The 579 acres being added to the DRI are scattered throughout the entire area and do not change the nature or intensity of the proposed development. The change to biennial rather than annual reporting on transportation and stormwater/wetlands monitoring conforms matches the biennial reporting that is already standard for all other DRI elements. The build-out date of the development is December 31, 2037 and the expiration date of the DRI is December 31, 2038, which were extensions of the original dates as authorized by a change in state law several years ago and already acknowledged by the City. The developer wishes to incorporate the build-out and expiration dates into the development order document.

Policy Impact Area: DRI amendment

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-260

Sponsor: Council Member Brown:

Date of Introduction: April 23, 2013

Committee(s) of Reference: TEU

Date of Analysis: April 26, 2013

Type of Action: Street Designation

Bill Summary: The ordinance establishes an honorary street designation on a segment of Wilson Boulevard extending from Kohn Road to Lane Avenue South in Jacksonville for Madleane Johnson-Scott; provides for the installation of one honorary roadway marker; the site is located in Council District 10; provides for conformance with Part I (General Provisions) of Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code*; directs Legislative Services to forward the ordinance to the Planning & Development Department.

Background Information: The honorary designation honors and life, achievements and legacy of Madleane Johnson-Scott, who, on her 100th birthday in 2007, was characterized by the *Florida Times-Union* as a "Community Matriarch." Mrs. Johnson-Scott's family has been closely tied to the Sweetwater community on Jacksonville's west side since the late 19th century. A life-long member and Sunday school teacher of the Bethel Baptist Church of Sweetwater, her father, George Johnson, was a founder of the church. On February 3, 2007, Mrs. Johnson-Scott celebrated her 100th birthday with her six children, 23 grandchildren, 43 great grandchildren and 16 great great grandchildren. A private donor has provided funding to cover the costs of the roadway markers.

Policy Impact: Street Designations/Planning & Development Department

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-261

Sponsor: Council Member Brown:

Date of Introduction: April 23, 2013

Committee(s) of Reference: R; TEU

Date of Analysis: April 26, 2013

Type of Action: Street Designation

Bill Summary: The ordinance designates a segment of Soutel Drive extending from the 4700 block to the 4800 block of Soutel Drive in Council District 10 for Coach Billy Cobb, Sr.; provides for the installation of two honorary roadway markers; provides for conformance with Part I (General Provisions) of Chapter 745.105(h), *Ordinance Code* (Addressing and Street Naming Regulations); the ordinance waives the requirements of Section 745.105 (e) (2), *Ordinance Code*, regarding persons who honorary street designation may be named after; directs Legislative Services to forward the ordinance to the Planning and Development Department.

Background Information: This honorary street designation honors the life and legacy of Coach Billy Cobb, Sr., who taught, coached and mentored students in Jacksonville in the Duval County School System for 25 years and as Recreation Leader for the City's Beverly Hills Community Center for more than 25 years. After service in the U.S. Army, stationed in Korea in the 1960s, Coach Cobb attended Edward Waters College, earning a degree in Physical Education in 1971. After graduating from college, Coach Cobb embarked on a 25 year career as an educator and coach, serving as Dean of Students at Wolfson High School for 17 years. The coach subsequently became the Recreation Leader at the City's Beverly Hills Community Center. For 40 years, Coach Cobb was an active member and a Deacon of the First Baptist Church of Oakland. A private donor has provided funding to cover the costs of the roadway markers.

Policy Impact: Street Designations/Planning & Development Department/Ordinance Code

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-262

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: April 23, 2013

Committee(s) of Reference: R, LUZ

Date of Analysis: April 25, 2013

Type of Action: Zoning Code amendment

Bill Summary: The bill amends Zoning Code Part 13 – Sign Regulations – to extend for 3 additional years the sunset date for the use of temporary direction real estate signs during weekends, from June 30, 2013 to June 30, 2016.

Background Information: In 2010 the Council amended the Zoning Code to temporarily permit small real estate directional signs (i.e. “House for Sale”, “Open House This Way”) to be placed in public rights-of-way, where they are normally prohibited, from Friday through Sunday as a means to help stimulate economic activity in the real estate market during the early stages of the recovery from the Great Recession. The provision was originally to be effective for 1 year to June 2011, then was extended to June 2013 and the permit application fee for such signs reduced by subsequent legislation.

Policy Impact Area: Economic stimulation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2013-263

Introducer/Sponsor(s): Council Member Yarborough

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 25, 2013

Type of Action: Council Rules amendment

Bill Summary: The bill amends Council Rules Chapter 3 – Legislation – to make several changes to conform the rule to current practice regarding the setting of new bills on the Council agenda for introduction. It deletes language referring to the Rules Committee “setting the number” for the Council agenda and provides that the Rules Committee chairperson shall recommend a preliminary Council agenda and propose committees of reference for new bills. The bill amends Chapter 4 – Procedures – to strike language requiring that a 2/3 vote of the entire Council is needed to enact any ordinance appropriating money outside of the appropriations contained in the annual budget. It also adds emergency legislation, along with the currently-listed vetoed legislation, as a proper subject for Council motions during the portion of the Council meeting where new bills are being introduced and referred to committees.

Background Information: Several of the Council Rules regarding bill introduction procedures refer to procedures in effect when the Rules Committee was the last standing committee to meet during committee weeks and was responsible for setting the agenda for the Council meeting the following week. Since the Rules Committee now meets before the bill introduction deadline, placement of new introductions on the Council agenda and reference of bills to committees are largely administrative tasks performed by the Legislative Services Division.

The requirement for a 2/3 vote of the entire Council to appropriate money in addition to those appropriations contained in the annual budget ordinance appears only in the Council Rules, not in the Budget Code, and has not been the Council’s practice for many years, if ever. There is a provision in Sec. 106.215(b) of the Budget Code requiring a vote of 2/3 of the council members present to make appropriations from General Fund reserves, except the Emergency Reserve, Reserves for Federal Programs (grant matches), and Executive Operating Reserve.

Policy Impact Area: City Council procedures

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-264

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: April 23, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: April 25, 2013

Type of Action: Appropriation

Bill Summary: The bill appropriates \$2,800,000 from the Loblolly Wetlands Mitigation Fund to 14 council district park improvement funds to be used in accordance with the Parks Master Plan. The Department of Parks and Recreation is designated as the oversight agency.

Background Information: The Loblolly Wetlands Mitigation Fund was created in 2003 in conjunction with the purchase of 4,878 acres of land on the Westside and the formation of the Loblolly wetlands mitigation bank to provide wetlands credits to mitigate for the effects of Better Jacksonville Plan projects on regulated wetlands. The enacting legislation provided that credits would be applied first to BJP projects, then "excess credits" could be sold to other users and the revenues deposited into the mitigation fund for future capital improvements for conservation and park uses as appropriated by City Council.

Pending Ordinance 2013-243 proposes to appropriate \$2,040,000 to the Jacksonville Zoo and Gardens to fund a portion of the construction cost of the Trail of the Tiger exhibit, a \$9.5 million expansion of the zoo's Asia precinct.

A Master Recreation Improvement Plan was commissioned by the City in 1992 to meet the requirements of the Recreation and Open Space Element of the City's newly-adopted Comprehensive Plan which identified and evaluated the condition of all of the City's recreational assets. Another comprehensive inventory and evaluation of recreational facilities and their conditions was performed by the Parks, Recreation and Entertainment Department in 2004.

Policy Impact Area: Park improvements

Fiscal Impact: The bill appropriates \$2.8 million to create 14 council district park improvement funds of \$200,000 apiece.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2013-265

Sponsor: Council Member Holt:

Date of Introduction: April 23, 2013

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

Date of Analysis: April 26, 2013

Type of Action: Ordinance Appeal; Grant of Easements Authorization

Bill Summary: The ordinance repeals Ordinance 2011-239-E regarding Heritage River Road and its closure and abandonment; the ordinance authorizes the Mayor and Corporation Secretary to execute a Grant of Easements between the City of Jacksonville and Riverfront Associates, LLC; obligates the owner to file a conservation easement within one year.

Background Information: The Heritage River Road will not be abandoned and the New Access Road (a stipulation in Ordinance 2011-239-E that closed and abandoned Heritage River Road) will not be built; rather, the Riverfront Associates, LLC ("Owner") is seeking three (3) easements over a portion of the current Heritage Road. This ordinance authorizes the Mayor to execute a Culvert Easement Agreement between the City and the owner. The Culvert Easement Agreement would allow the owner to construct, operate, maintain and control structural and other related equipment for the passage of surface water and stormwater. Agreement requires the owner to record a Conservation Easement in favor of the St. Johns River Water Management District on or before one (1) year from the effective date. Failure to record a fully executed Conservation Easement, which in part prohibits the construction of improvements above ground on the property other than those improvements as may be constructed in connection with the developments, maintenance and operation of the property as a saltwater marsh mitigation bank, will result in the termination of the Culvert Easement Agreement. The agreement would be null and void.

Policy Impact: Conservation Easement

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2013-266

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Melissa K. Adams, to the Public Service Grant Council, for a term ending December 31, 2016.

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. Ordinance 2013-116-E, enacted March 12th, expanded the membership of the panel from 7 to 13 members, including three additional members appointed by the Mayor and confirmed by City Council.

Ms. Adams received a bachelor's degree in business administration from Clark Atlanta University and is the Manager of Charitable Giving with *Winn-Dixie Stores, Inc.* She resides in the Secret Cove area within Council District #4.

NOTE: This bill may need to be amended to reflect that Ms. Adams is being appointed to a partial term ending December 31, 2013, followed by a first full three-year term ending December 31, 2016.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-267

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Patricia D. Andrews to the Public Service Grant Council, as a member with grant experience, replacing Alexander Graham for an unexpired term ending December 31, 2013, followed by a first full three-year term ending December 31, 2016.

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. Ordinance 2013-116-E, enacted March 12th, added the requirement that two of the mayoral appointees be persons with prior experience with grant processes, whether as grant writers, applicants, administrators, or recipients.

Ms. Andrews received a master's degree in education from the University of North Florida and is a Senior Technology and Admissions Advisor with *Episcopal Schools of Jacksonville*. Her prior employment includes four years (1993-1997) as a Grant Director at the University of North Florida. She resides in the San Marco area within Council District #5.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-268

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Autumn L. Tomas to the Public Service Grant Council, as a member with grant experience, replacing Constance Hall, for an unexpired term ending December 31, 2013, followed by a first full three-year term ending December 31, 2016.

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. Ordinance 2013-116-E, enacted March 12th, added the requirement that two of the mayoral appointees be persons with prior experience with grant processes, whether as grant writers, applicants, administrators, or recipients.

Ms. Tomas received a master's degree in public administration from Walden University and is a Florida licensed Real Estate Sales Associate. She is the CEO for *A. Tomas Consulting, LLC*, a grant reviewer for federal grant applications. Ms. Tomas resides in the Golden Glades/The Woods area within Council District #3.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-269

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Sybil B. Ansbacher as a member of the Board of Library Trustees, replacing John Gibson as an At-Large, Group 2 representative, for an unexpired term ending July 15, 2015.

Background Information: The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of library services. Section 90.101, *Ordinance Code*, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Ms. Ansbacher received a master's degree in counseling psychology from Nova University and is a retired Mental Health Counselor. She is board member with the Friends of the Beaches Library and has previously served on the Housing and Urban Development Advisory Board. Ms. Ansbacher resides in Neptune Beach within Council District 13 and At-Large Group 2.

Policy Impact Area: Library Board of Trustees operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-270

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of J. Jacob R. Peek, as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, filling the seat formerly held by David Lane, for a term ending June 30, 2015.

Background Information: The TRUE Commission is established pursuant to Chapter 57, *Ordinance Code*, and charged to act as an advisory body to the city concerning fiscal policy and may review any aspect of fiscal policy, including: The city's long-range financial soundness, planning budgeting, and management; The city's budgetary process, including taxation, revenue generation, expenditures, use of permit fees and user fees, bonding capacity, franchise fees, state and federal mandates, privatization, "zero based" financing and other similar topics; The appropriateness of each revenue source the city receives to make up its annual general revenue budget; Potential new revenue sources, such as impact fees, and the use of any such funds; The pre- and post-retirement benefit structure for city employees and the potential impact on the financial status of the city; Recommendations that will help make Jacksonville the most fairly-taxed and financially-sound city in the nation; Recommendations to keep the public better informed about important issues of city financing and budgeting which affect their lives; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City with an interest in city financial planning and budgeting and knowledge or expertise in financial management or accounting, and six of the members shall be appointed by the Mayor and confirmed by the Council.

Mr. Peek received a law degree from the University of Virginia and a bachelor's degree in mathematics from Randolph-Macon College. He is an Attorney Shareholder with *Driver, McAfee, Peek & Hawthorne, P.L.*, specializing in tax law. Mr. Peek resides in Neptune Beach within Council District 13.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-271

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Keith E. Johnson, as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, filling the seat formerly held by Michael McCollum, for a term ending June 30, 2015.

Background Information: The TRUE Commission is established pursuant to Chapter 57, *Ordinance Code*, and charged to act as an advisory body to the city concerning fiscal policy and may review any aspect of fiscal policy, including: The city's long-range financial soundness, planning budgeting, and management; The city's budgetary process, including taxation, revenue generation, expenditures, use of permit fees and user fees, bonding capacity, franchise fees, state and federal mandates, privatization, "zero based" financing and other similar topics; The appropriateness of each revenue source the city receives to make up its annual general revenue budget; Potential new revenue sources, such as impact fees, and the use of any such funds; The pre- and post-retirement benefit structure for city employees and the potential impact on the financial status of the city; Recommendations that will help make Jacksonville the most fairly-taxed and financially-sound city in the nation; Recommendations to keep the public better informed about important issues of city financing and budgeting which affect their lives; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City with an interest in city financial planning and budgeting and knowledge or expertise in financial management or accounting, and six of the members shall be appointed by the Mayor and confirmed by the Council.

Mr. Johnson received a master's degree in business administration from the University of North Florida and is a Cost Accounting / Internal Audit / Taxation Consultant. He resides in the Arlingtonwood area within Council District 1.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-272

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Susan S. Verbeck as a member of the Jacksonville Housing Authority, replacing David Hodges, for an unexpired 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; and provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103, *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation of the Council.

Ms. Verbeck received a bachelor's degree in education from Glenville State College and attended the University of Wisconsin Graduate School of Banking. She is a Senior Vice President of Lending at *Community First Credit Union of FL*. Ms. Verbeck resides in the Windy Hill area within Council District #4.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-273

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 23, 2013

Committee(s) of Reference: R

Date of Analysis: April 19, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Richard A. Cloyd, CPA, as a member of the Jacksonville Housing Authority, replacing Carrie Davis, for an unexpired 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; and provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103, *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation of the Council.

Mr. Cloyd received a bachelor's degree from Illinois State University and is a Florida licensed Certified Public Accountant. He is an Audit Partner with *KPMG* and resides in the East Arlington area within Council District #2.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2013-281

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 23, 2013

Committee(s) of Reference: LUZ

Date of Analysis: April 25, 2013

Type of Action: Zoning Code administrative deviation ruling

Bill Summary: The bill issues the Council's ruling on a request for an administrative deviation to the Zoning Code to increase the height of a front yard fence from 4 feet to 8 feet in an RLD-90 zoning district at 4807 Apalachee Street in Council District 14.

Background Information: This administrative deviation is being heard by the City Council rather than the Planning Department pursuant to a relatively new provision in the Zoning Code which allows multiple applications for exceptions and/or deviations and/or waivers on the same property to be heard in a consolidated fashion by either the Planning Commission or City Council, depending on the action being requested. Since companion Ordinance 2013-282 requests a waiver of minimum road frontage which must be decided by the City Council, Sec. 656.138 of the Zoning Code allows this administrative deviation request to be consolidated with that request and heard at one time by the Council rather than the two issues being heard separately by different bodies.

Policy Impact Area: Zoning Code administrative deviation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-282

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 23, 2013

Committee(s) of Reference: LUZ

Date of Analysis: April 25, 2013

Type of Action: Zoning Code minimum road frontage waiver request

Bill Summary: The bill issues Council's ruling on an application for a Zoning Code waiver of minimum road frontage at 4807 Apalachee Street in Council District 14 to reduce the minimum frontage from 35 to 31 feet in an RLD-90 zoning district.

Background Information: The Zoning Code provides that deviations from the Code are to be evaluated based on 9 criteria listed in Sec. 656.109(h) of the Code, which include the effect of the proposed deviation, if granted, on the surrounding property values, on public health, safety and welfare, on the preservation of natural resources, and whether the request for the deviation is caused by the applicant's own actions, is sought merely to save cost, was caused by forces outside the applicant's control, or was done intentionally in violation of the Code.

Policy Impact Area: Zoning Code waiver

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2013-283

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

Date of Introduction: April 23, 2013

Committee(s) of Reference: Acted on as a first reading emergency – no committee reference

Date of Analysis: April 25, 2013

Type of Action: Establishing date for tentative budget proposal submission

Bill Summary: The bill sets June 3, 2013 as the date for the Mayor to submit the tentative FY13-14 budget to the City Council as required by the Budget Code.

Background Information: Ordinance Code Chapter 106 – Budget Code – requires the Mayor to submit a tentative budget to the City Council by May 1 of each year, unless Council by resolution provides for another date. The tentative budget is intended to provide the City Council with a preview of the formal budget which must be presented by July 15th.

Policy Impact Area: Budget procedure

Fiscal Impact: None

Analyst: Clements