

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: Resolution 2012-243 - REVISED

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 Florida State University 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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City Hall, Suite 425
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Bill Type and Number: Ordinance 2012-248 - revised

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 approximately 7,373 of the 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

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Bill Type and Number: Ordinance 2012-251

Sponsor: Council Member Redman:

Date of Introduction: April 24, 2012

Committee(s) of Reference: TEU

Date of Analysis: April 27, 2012

Type of Action: Street Naming

Bill Summary: This ordinance regards Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code*. The ordinance renames a segment of Southpoint Parkway which extends a distance of 1,850 feet north and west from Belford Road in Council District 4 to "Southpoint Parkway South;" directs the Legislative Services Division to forward this ordinance to the Planning Department.

Background Information: The Planning & Development Department's 911 Emergency Addressing Advisory Committee determined that a number of properties currently located on Southpoint Parkway had out of sequence address numbers. The 911 Committee is charged with identifying and correcting numerical street address sequences for public safety purposes; addresses that are not in numerical sequences hinder and prevent Emergency Medical Services, Fire & Rescue and local law enforcement personnel's efforts to accurately and promptly locate the property.

Policy Impact: Planning & Development Department/911 Committee/Street Addressing

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-252

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 27, 2012

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$97,377 from the U.S. Department of Justice, with no local match, to the Jacksonville Sheriff's Office for the purchase of security cameras and related equipment for the John Goode Pre-Trial Detention Facility, as initiated by B.T. 12-051.

Background Information: This security camera equipment is additional equipment to that already in place at the jail adjacent to the Police Memorial Building on East Bay Street, downtown Jacksonville.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$97,377 in a Justice Department grant, with not local match required.

Analyst: Jackson

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Bill Type and Number: Resolution 2012-259

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: LUZ

Date of Analysis: April 26, 2012

Type of Action: Appeal of Planning Commission decision

Bill Summary: The bill rules on an appeal of a Planning Commission denial of a requested waiver for reduction of the minimum distance between an establishment serving alcohol and a school or church filed by AL Century, LLC for a the property located at 198 Century 21 Drive in Council District 2.

Background Information: AL Century applied to the Planning Commission for a waiver to reduce the minimum distance requirement for a liquor license from the standard 500 feet from a church or school to 180 feet. The Planning Commission denied the waiver request and AL Century has appealed the denial to the City Council.

Policy Impact Area: Zoning Code minimum distance waiver for alcohol sales

Fiscal Impact: None to City.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-260

Sponsor: Council Member Jones:

Date of Introduction: April 24, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 27, 2012

Type of Action: Authorization for Joint Use Agreement

Bill Summary: The ordinance authorizes the Mayor and Corporation Secretary to execute an agreement between the City of Jacksonville and Clara White Mission for the joint use of North Riverside Community Center located at 2711 Edison Avenue and 430 Crystal Street, in Council District 9, limiting the deed restriction to the southwest portion of the property.

Background Information: Initially, Ordinance 2011-731 authorized a joint use agreement with the North Riverside Community CDC for the community center. An amended 2011-731-E, authorizing a joint use agreement between the City and Clara White Mission was enacted but was never executed. The joint agreement authorized by this ordinance is for a fifteen-year term; Clara White shall conduct programs open to the public for 15 hours per week between 8:00 a.m. and 8:00 p.m.; Clara White, at its discretion, shall make the center available to the public when the Center is not being used by Clara White or the City for their respective programs; Clara White shall maintain and repair current structures and facilities at the Center; Clara White shall be responsible for all power, gas, electric, water, sewer and garbage; in the event that Clara White terminates the Agreement before the end of the 15-year term, Clara White shall pay the City of Jacksonville \$3,390.00 for each month remaining in the Term.

Policy Impact: Joint Use Agreements; Community Centers

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-265

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 27, 2012

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; it reauthorizes and appropriates \$190,191.60 in interest earned in Fiscal Year 2010-2011 on an Emergency Medical Service (EMS) Award to enhance and improve emergency medical services in Duval County by providing funds for travel expenses and training of EMS advisory members attending quarterly meetings, and for the purchase of cardiac monitors, as initiated by B.T. 12-053.

Background Information: This is grant funding from the State of Florida with no local match required. Counties can apply for these funds on an annual basis. Funds in this appropriation are the interest earned and carried over from a previous grant. The grant agreement with the State requires the County to reauthorize interest earned on the award. Funds in this appropriation will provide for the purchase of cardiac monitors for 20 new rescue units (\$10,000 per monitor).

Policy Impact: Fire & Rescue

Fiscal Impact: The ordinance appropriates \$190,191.60.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-266

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: April 27, 2012

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$5,095 from the Environmental Protection Board Trust to provide funding enabling ten Environmental Quality Division staff and personnel from the Jacksonville Sheriff's Office to receive on-site training in noise measurement procedures from Rutgers University, as initiated by B.T. 12-063.

Background Information: Having a Rutgers University professor traveling to Jacksonville for on-site training in noise measurement procedures in addressing noise pollution issues in Jacksonville is more cost effective than incurring traveling and lodging costs to send two or three EQD staff to Rutgers University for the training. The certification course *Community Noise Enforcement* would be offered May 30-June 1, 2012. Rutgers Noise Center and the City of Jacksonville have had a longstanding relationship. The City's enforcement of code regulations concerning noise is strengthened by having certified-trained personnel.

Policy Impact: Environmental Quality Division/Environmental Protection Board Trust Fund

Fiscal Impact: The ordinance appropriates \$5,095

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-267

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: April 26, 2012

Type of Action: Appropriation; authorization of sub-grant agreement

Bill Summary: The bill appropriates a \$257,043 Federal Emergency Management Agency (FEMA) grant through the Florida Division of Emergency Management (FDEM) for the acquisition and demolition of a repeatedly flood damaged property at 6768 Bakersfield Drive in Council District 10. The bill authorizes the carry-over of funds to the next fiscal year, authorizes the City to execute a federal funds sub-grant agreement with the FDEM, and designates the Fire and Rescue Department as the oversight agency.

Background Information: The property has sustained repetitive flooding, and the City will enter into an agreement with the owners to acquire the property, demolish structures and slabs, and remove associated debris. The FEMA program provides funding to reduce and/or eliminate the long-term risk of flood damage to repetitive loss structures and will further reduce claims under the National Flood Insurance Program, supporting the City's standing in the Community Rating System and the Local Mitigation Strategy for floodplain and mitigation management.

Policy Impact Area: Flooding remediation

Fiscal Impact: The bill appropriates a \$257,043 FEMA grant with no required local match.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-268

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: April 26, 2012

Type of Action: Appropriation; authorization to execute grant agreement

Bill Summary: The bill appropriates a total of \$486,717 (a \$389,374 FEMA grant and \$97,343 in City matching funds) to the Fire and Rescue Department for the purchase of breathing air tank recharge units for various fire stations. The bill authorizes the administration to execute the grant agreement and associated documents.

Background Information: The new compressed air refill stations will be National Fire Protection Association-certified and will replace older, non-certified equipment. Twenty seven fire stations currently have NFPA-compliant refill pumps; two stations under construction will have compliant pumps installed. Nineteen stations have non-compliant pumps, and six stations rely on Air-5 (a mobile recharge pump unit) or carry their tanks to other stations for refill. The grant appropriation will provide for the purchase of 10 new refill stations to be located at fire stations 2, 13, 17, 19, 27, 29, 51, 54, 56 and 58. The units were allocated to stations based on the highest number of suppression runs made per year.

Policy Impact Area: Public safety capital equipment acquisition

Fiscal Impact: The bill appropriates a \$389,374 FEMA grant and \$97,343 in City matching funds

Analyst: Clements

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Bill Type and Number: Ordinance 2012-269

Introducer/Sponsor(s): Council Member Brown

Date of Introduction: April 24, 2012

Committee(s) of Reference: TEU, RCDPHS

Date of Analysis: April 26, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 804 – Jacksonville Traffic Code – in Part 7 – Vehicle Requirements – to make it unlawful to cover or obscure a vehicle’s license plate, license plate mount, or the area where a license plate is intended to be mounted.

Background Information: The sponsor intends for the amendment to rectify a problem the City’s Code Enforcement Division has in dealing with unlicensed vehicles parked for long periods on lots. In order to cite a property owner for illegal parking of an unlicensed vehicle, Code Enforcement must be able to determine whether a vehicle has a current, valid license plate. If a vehicle’s license plate is covered, hidden or otherwise obscured, then Code Enforcement is powerless to determine if the vehicle is properly licensed and therefore is prevented from issuing a citation for the potential violation.

Policy Impact Area: Code enforcement assistance

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2012-270

Sponsor: The Council President at the request of the Jacksonville Economic Development Commission:

Date of Introduction: April 24, 2012

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

Date of Analysis: April 27, 2012

Type of Action: Redevelopment Agreement Authorization; Ordinance Code Waiver; REV Grant Authorization

Bill Summary: This ordinance authorizes the Mayor and the Executive Director of the Jacksonville Economic Development Commission to execute (1) amended and restated Purchase and Sale and Redevelopment Agreement between the City of Jacksonville, Jacksonville Economic Development Commission, Hallmark Partners, Inc. (“developer”), HP/CSD, Partners, LLC, and 200 Riverside Avenue, LLP (“owners”); (2) an amended and restated Infrastructure Costs Disbursement Agreement between the City and developer (“Disbursement Agreement”), and (3) related agreements described in the Redevelopment Agreement, for the completion of the public open space, road and utility improvements approved by Ordinance 2007-831-E; authorizes a Recapture Enhanced Value (REV) Grant not to exceed \$4,905,980; waives the public investment policy restrictions on REV Grant terms; invokes the exemption of the Procurement Code, Section 126.107(G), *Ordinance Code*, to authorize direct contracting with the developer; designates the JEDC as contract monitor for the Redevelopment Agreement and the Public Works Department contract monitor for the Disbursement Agreement.

Background Information: The economic downturn caused the developer, Hallmark Partners, Inc. and its affiliate, HP/CSD Partners, LLC, to alter the scope of the proposed redevelopment project in Brooklyn that was approved in Ordinance 2007-831-E. In the amended disbursement agreement, the City agrees to complete the road and utility improvements, improvements that the City had previously allowed the developer to make on the City’s behalf under the prior agreement. The developer in the new agreement will continue to have the right to complete certain open space improvements on the City’s behalf, upon the satisfaction of certain conditions. The stormwater project has been completed. In the amended Purchase and Sale and Redevelopment Agreement, the developer will construct a project that entails apartments, retail units and a parking garage (deleting the previous condominium component) with the assistance of a REV Grant that the City will provide. The REV Grant will not constitute a liability or debt to the City. The Public Investment Policy adopted by Resolution 2006-119-A is waived because the grant does not conform to the policy guidelines for REV grants for downtown residential projects. The waiver enables the current proposed project to proceed and further needed development in Brooklyn.

Policy Impact: Economic Development/Housing/Brooklyn/Jacksonville Economic Development Commission/REV Grants.

Fiscal Impact: The Economic Development Agreement approved by this ordinance includes a REV Grant not to exceed \$4,905,980.00 and the City has continuing funding obligations previously approved in Ordinance 2007-831-E.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-271

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

Date of Introduction: April 24, 2012

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

Date of Analysis: April 26, 2012

Type of Action: Authorization of lease agreement

Bill Summary: The bill authorizes execution of a lease agreement between the City and Duval Federal Credit Union for the location of a credit union branch on the first floor of the new County Courthouse.

Background Information: The lease is for 540 square feet of space for a period of 5 years with two 1-year renewal options. The credit union will operate a 440 square foot branch and will locate 3 ATMs in the main lobby of the courthouse. The initial lease rate is \$21 per square foot plus a \$4 p.s.f. common area maintenance fee, or \$1,125 per month, with an automatic 3% annual increase on both the lease rate and CAM fee. Duval Federal has a location in the current county courthouse and in City Hall.

Policy Impact Area: Public facility lease

Fiscal Impact: The initial lease rate is \$1,125 per month or \$13,500 in year one, increasing to \$15,201 in year five.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-272

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: April 24, 2012

Committee(s) of Reference: TEU, F

Date of Analysis: April 26, 2012

Type of Action: Authorization of amended and restated cross-easement and termination agreement

Bill Summary: The bill authorizes execution of an amended and restated cross-easement and termination agreement between the City and San Marco Train Station LLC (SMTS) for properties surrounding the San Marco Train Station on Hendricks Avenue at Cedar Street and Naldo Avenue in Council District 5.

Background Information: The City and SMTS entered into an original Cross-Easement and Termination Agreement in December 2007. The amended and restated agreement gives the City one additional exclusive access parking space on SMTS property (increasing from two to three), amends the site plan to recognize changes adopted by Ordinance 2012-193, grants the City an access easement over the SMTS entrance driveway, deletes the SMTS "signage easement area", and amends the legal description of the SMTS Easement Area for ingress, egress and utilities. Ordinance 2012-193 rezoned the SMTS property at Hendricks Avenue and Naldo Avenue from PUD and PBF-1 to PUD for the development of the San Marco Station commercial project.

Policy Impact Area: Commercial redevelopment project

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2012-273

Sponsor: The Council President at the request of the Mayor

Date of Introduction: April 24, 2012

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

Date of Analysis: April 27, 2012

Type of Action: Authorization for Grant Applications

Bill Summary: The resolution authorizes the Mayor to apply to the Florida Inland Navigation District (FIND) FOR 2012-2013 grants for specified waterways-related projects; the Mayor and Corporation Secretary are authorized to deliver all necessary documents and grant agreements and acknowledge the City's willingness to meet funding requirements.

Background Information: FIND requires counties applying for grants to have resolutions accompanying the applications acknowledging the county's willingness to meet matching fund requirements. The projects compiled by the Planning & Development Department for recommended application for grants include: Zoo dock construction (dredge); total cost estimate \$1,018,050, FIND cost \$509,925, COJ cost \$509,025; Mayport Docks (construction), total cost estimate \$803,350, FIND cost \$401,675; Pottsborg Creek (design dredge), total cost estimate \$250,000, FIND cost \$125,000, COJ cost \$125,000; Geffen Riverwalk (kayak launch design), total cost estimate \$90,000, FIND cost \$45,000, COJ cost \$45,000.

Policy Impact: Waterways/Florida Inland Navigation District/Planning & Development Department

Fiscal Impact: Minimal (resolution entails authorization for applications only).

Analyst: Jackson

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Bill Type and Number: Resolution 2012-274

Sponsor: Council Member Brown

Date of Introduction: April 24, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: April 27, 2012

Type of Action: Declaration of Council Support for Recommendation

Bill Summary: The resolution declares the Council's support for the implementation of a high crime area neighborhood security camera program and urges the Sheriff to budget for and implement a high crime area neighborhood security camera program.

Background Information: Sheriff is urged to utilize (purchase and implement) high tech surveillance cameras and deploy the equipment in high crime neighborhoods in ongoing efforts to prevent and deter crime. The technology for the cameras can provide definition images that can identify license plate numbers from a block and a half away and can identify and provide images of activity taking place with automobiles. Implementation of the installation of camera equipment would be coordinated with the installation of large signage warning of the existence of the video surveillance.

Policy Impact: Crime Prevention/Jacksonville Sheriff's Office

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2012-275

Sponsor: Council President Joost

Date of Introduction: April 24, 2012

Committee(s) of Reference: R

Date of Analysis: April 24, 2012

Type of Action: Appointment

Bill Summary: This bill appoints Julie A. Dion to the Duval County Research and Development Authority, filling the slot formerly held by James Citrano, for a first full term ending October 17, 2015.

Background Information: The Duval County Research and Development Authority is established pursuant to Chapter 67, *Ordinance Code*, and charged to oversee "First Coast Technology Park", a 285-acre commerce center at the University of North Florida; for the purpose of promoting scientific research and development in affiliation with and related to the research and development activities of one or more state-based, accredited, public or private institutions of higher education; for the purpose of financing and refinancing capital projects related to establishment of a research and development park in affiliation with one or more institutions of higher education, including facilities that complement or encourage the complete operation thereof; and for the fostering of the economic development and broadening the economic base of the county. Section 159.703, *Florida Statutes*, provides that members of the Research and Development Authority shall be residents and electors of, or have their principal place of employment in, the county.

Ms. Dion is the President of *Dion Marketing Co.* She has previously served on the Duval County Tourist Development Council. Ms. Dion resides in Neptune Beach within Council District #13.

Policy Impact Area: Duval County Research and Development Authority Operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-276

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 24, 2012

Committee(s) of Reference: R

Date of Analysis: April 24, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Jefree Shalev as a member of the Art in Public Places Committee, as a Planning District #1 community representative, for a first term ending December 31, 2014.

Background Information: The Art in Public Places Committee is established pursuant to Chapter 126, *Ordinance Code*, and charged to choose art which is compatible with and which will enhance the architecture and general environment of the City; responsible for receiving, reviewing and acting on the recommendations of the Art Selection Panels; seek to ensure that at least 15% of the artists selected for purchase or commission will be resident(s) in the Greater Jacksonville area (Duval, St. Johns, Nassau, Clay and Baker Counties); will also encourage the selection of regional artists e.g. Florida and the Southeastern United States. Section 126.903, *Ordinance Code*, provides that the members of the committee are appointed by the Mayor, with five of the members representing the community at large, each residing within a different planning district.

Mr. Shalev received a bachelor's degree in architecture from New York Institute of Technology and is a Senior Systems Engineer with *Mayo Clinic*. He resides in the Springfield area within Council District #7 (Planning District #1).

NOTE: This bill may need to be amended to correct the name of the body from Art in Public Places Commission, which no longer exists, to the **Art in Public Places Committee**. The bill may also need to be amended to include the correct name of the member being replaced. James Reed Beaubouef was a member of the former commission, but has never served on the current committee.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-277

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 24, 2012

Committee(s) of Reference: R

Date of Analysis: April 25, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Marvin C. Hill, Jr. as a member of the Planning Commission, as an alternate member, for a three-year term ending October 1, 2014.

Background Information: The Planning Commission is established pursuant to Chapter 30, Part 2, *Ordinance Code*, and charged to review proposed land use changes, text changes to the Comprehensive Plan, requests for exceptions, variances and waivers to the Zoning Code, appeals from written orders granting or denying an administrative deviation and written interpretations of the Zoning Code and final orders of the Cell Tower Review Committee and other matters related to land use and area planning which are referred to the Department or to the Commission pursuant to law; review and make recommendations to the Council on proposed changes to the Zoning Code, the Code of Subdivision Regulations and other land development regulations or amendments thereto, and with respect to all rezonings; review and make recommendations on plans and programs developed by the Planning Department; and serve as the local planning agency per 163.3174 F.S. and prepare the comprehensive plan.

Section 30.201(a), *Ordinance Code*, provides for three alternate members on the Planning Commission to be appointed by the Mayor and confirmed by Council. The alternate members shall either be former Planning Commission members or former City Council members who have served on the Land Use and Zoning Committee of the City Council.

Mr. Hill, a retired Architect, received a bachelor's degree in architecture from Auburn University. He served on the Planning Commission from 1999 to 2005. Mr. Hill resides in the Sunbeam area within Council District #5.

Policy Impact Area: Planning Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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 2012-283

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

Date of Introduction: April 24, 2012

Committee(s) of Reference: R, F

Date of Analysis: April 26, 2012

Type of Action: Repeal of prior ordinance; direction to Council Secretary

Bill Summary: The bill repeals prior Ordinance 2011-399-E pertaining to amendments to the General Employees' Pension Plan and directs the Council Secretary to inform the Municipal Code Corporation of the repeal and to prevent the codification of the changes.

Background Information: At the end of his second term Mayor John Peyton proposed a package of reforms to both the General Employees' Pension Plan and the Police and Fire Pension Plan which increased the age of eligibility to receive retirement benefits, changed the timeframe for determining final monthly compensation, made changes to the cost of living allowance (COLA) and surviving spouse benefits, and made other changes. Ordinance 2011-399-E regarding the General Employees' Pension Plan was enacted by Council but its application was made conditional upon the passage of 2011-400 which made similar changes to the Police and Fire Pension Plan. 2011-400 has been withdrawn from consideration so 2011-399 will not become effective and is therefore being repealed. The Brown administration intends to propose a new package of pension reforms at a future date.

Policy Impact Area: Pension reform

Fiscal Impact: At the time of their passage, Mayor Peyton announced that the combined pension modifications in 2011-399 and -400 were estimated to produce savings to the City of approximately \$1 billion over 35 years.

Analyst: Clements

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JEFFREY R. CLEMENTS
Chief of Research
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Bill Type and Number: Ordinance 2012-284

Introducer/Sponsor(s): Council Member Lee

Date of Introduction: April 24, 2012

Committee(s) of Reference: R, F

Date of Analysis: April 26, 2012

Type of Action: Amendment of prior ordinance

Bill Summary: The bill amends prior Ordinance 2007-401-E which established the current Unified Courthouse Program by adding new language to Section 4 – Responsibilities of the Architectural Review Committee, Chief Judge and Council President – to mandate that the Mayor and the members of the Unified Courthouse Project management team must consult with the State Attorney in addition to the Chief Judge and Council President when making decisions about the courthouse and State Attorney’s Office design and furnishing. New language is also added urging the Mayor and Unified Courthouse Project management team to move as promptly and efficiently as possible to design and renovate the old Federal Courthouse into the new State Attorney’s Office.

Background Information: During the deliberations of the Council’s Courthouse Oversight Committee the State Attorney has expressed dissatisfaction with the lack of progress being made on the design and construction of the old Federal Courthouse renovation to house the State Attorney’s Office and with the lack of consultation that has taken place with her staff before critical decisions have been made which affect the design and the construction timeline for the building. The Courthouse Architectural Review Committee is currently required to consult with the Chief Judge and the Council President about plans, specifications, designs, and other factors affecting the courthouse project. This bill adds the State Attorney to the list of public officials who must be consulted regarding the progress of the project.

Policy Impact Area: Courthouse and State Attorney’s Office construction

Fiscal Impact: None

Analyst: Clements