

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2011-237

Introducer/Sponsor(s): Council President Webb

Date of Introduction: April 12, 2011

Committee(s) of Reference: TEU, F

Date of Analysis: April 14, 2011

Type of Action: Moratorium on development agreement annual fees and fair share contract assessment payments

Bill Summary: The bill imposes a 36 month moratorium on the collection of annual development agreement fees for reserved traffic capacity under the Concurrency Management System and provides that any such payments already made in calendar year 2011 shall not be refunded but shall be applied as a credit against payments due the next year after the expiration of the moratorium. The bill also imposes a moratorium on the assessment and collection of fair share assessments either already adopted or pending adoption as of the effective date of this ordinance, and any such assessments entered into during the period of the moratorium. The fair share moratorium shall become effective upon adoption of legislation by Council authorizing and appropriating funding for roadway improvements which: (i) are required to be constructed by a party to an unexpired fair share contract; (ii) which are to be funded by fair share assessments; (iii) for which the party has already spent funds for design, engineering or construction of a project; and (iv) for which fair share assessments have already been received by the City and places in a Fair Share Specific Projects Special Revenue Fund.

Background Information: The bill is intended to help stimulate the economy by encouraging development and construction projects to take place through the reduction of governmental project costs.

Policy Impact Area: Economic stimulation; development fees moratorium

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-238

Sponsor: Council Member Shad:

Date of Introduction: April 26, 2011

Committee(s) of Reference: R; RCD

Date of Analysis: April 29, 2011

Type of Action: Public Facility Naming

Bill Summary: This ordinance names the F.E.C. Park at 1620 Marco Place "Alexandria Oaks Park."

Background: The park abuts the FEC (Florida East Coast Railroad) railway tracks that traverse this San Marco neighborhood. Neighborhood residents felt that the name of the park should include references to old, historic components of the neighborhood such as Villa Alexandria and the thoroughfare River Oaks Road. The park is located in Council District 5.

Policy Impact: Recreation & Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-239

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

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

Date of Analysis: April 29, 2011

Type of Action: Road Closure; Ordinance Code Waiver

Bill Summary: The ordinance closes and abandons Heritage River Road located in Council District 11 at the request of Riverfront Associates, LLC, upon the dedication by Plat to the City of a two lane access road located between State Road No. 105 – Heckscher Drive and Sisters Creek Joe Carlucci Boat Ramp and Park in accordance with the provisions of Chapter 654, City Ordinance Code; provides for the duration of the ordinance; waives the provisions of Section 122.422 (Sale of Property Through Real Estate Division); Investigation of Need; Council Action), of Chapter 122 (Public Property), *Ordinance Code*.

Background: The developer currently owns property adjacent to Heritage River Road; the developer intends to develop the adjacent property as a saltwater marsh mitigation bank subject to the approval of the St Johns River Water Management District and the United States Army Corps of Engineers. The developer desires to include portions of the property underlying Heritage River road as part of the mitigation bank. At its expense, Riverfront Associates will build a new access road to Joe Carlucci Boat Ramp in exchange for the right-of-way of Heritage River road and will relocate the AT&T and JEA facilities and equipment. The road closure request has been sent to the various municipal agencies which might have an interest in the matter. There were no objections to the closure. The applicant has paid the Closure Application Fee in the amount of \$1,500.00.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-240

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Commitment of City support for grant application to the Florida Communities Trust; commitment to serve as backup manager of the project; request for emergency action

Bill Summary: The bill expresses the City's support for an application by the North Florida Land Trust to the Florida Communities Trust for a \$2.8 million grant to purchase several properties adjacent to the Bogey Creek Preserve on Jacksonville's Northside to be added to the preserve for conservation purposes. The City also expresses its commitment, subject to available funding, to serve as backup manager of the land acquisition and project development process should the North Florida Land Trust be unable to complete the project. The bill requests emergency approval of the bill in order for the grant application and the land acquisition process to continue in a timely manner.

Background Information: The Bogey Creek Preserve is a 6.5 acre waterfront property adjacent to the Pumpkin Hill Preserve within the Timucuan Ecological and Historical Preserve that is co-owned by the City and the North Florida Land Trust. This bill expresses the City's support for a grant application to the Florida Communities Trust (State of Florida) for additional funding to purchase two additional parcels (Spencer Engineering parcel on Cedar Point Road and McGehee parcel on Sheffield Road) to add to the Bogey Creek Preserve in order to connect trails and provide trailhead facilities for the adjacent Pumpkin Hill Creek State Park.

Policy Impact Area: Conservation of environmentally sensitive land; facilitation of public access to conservation lands and state park trails.

Fiscal Impact: None to City; expresses support for the North Florida Trust's application to the state for a \$2.8 million grant

Analyst: Clements

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Bill Type and Number: Ordinance 2011-241

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Text amendments to 2030 Comprehensive Plan elements

Bill Summary: The bill makes text amendments to the Transportation, Future Land Use, Capital Improvements, Conservation/Coastal Management, Intergovernmental Coordination and Housing Elements of the City's 2030 Comprehensive Plan to incorporate changes related to the new 2030 Mobility Plan. The Transportation Element is substantially rewritten to incorporate a new system of Quality/Level of Service (Q/LOS) based on the availability and quality of 4 travel modes (auto/truck, transit, bicycle, pedestrian) within 10 mobility zones around the city. It replaces the current Concurrency Management System and fair share fees with a new Mobility Fee System and establishes a goal of reducing the City's per capita vehicle miles traveled (VMT) by 10% by 2030 from a 2010 baseline. The Downtown Transportation Concurrency Exception Area is replaced with a new Central Business District mobility plan. A new policy is added committing the Planning and Development and Public Works Departments to propose guidelines for *context sensitive streets* within 5 years, and a policy is added committing the City to exploring opportunities to incentive City employees to ride mass transit within 5 years.

The other elements are amended to change references to the Mobility Plan. A policy is added to the Future Land Use Element providing that the Land Development Regulations and Future Land Use Maps will be revised within 1 year to reflect the adoption of the Mobility Plan. The Capital Improvements Element is amended to reflect the replacement of the fair share system with the new Mobility Fee.

Background Information: This bill adopts changes to the 2030 Comprehensive Plan that were originally transmitted to the Florida Department of Community Affairs in January 2011 and approved by the department. The Mobility Plan is based on trip generation rates and varying levels of transportation facilities in 4 travel modes throughout 10 mobility zones encompassing 5 development areas – Central Business District, urban priority, urban, suburban and rural. The plan uses a calculation of average vehicle miles traveled in each of the development areas and an inventory of capital improvement projects needed to meet chosen Q/LOS standards to determine a mobility fee to be paid by each proposed development.

Policy Impact Area: Mobility Plan adoption; Comprehensive Plan amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-247

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Semi-Annual Text Amendment

Bill Summary: This bill approves a proposed 2011B Series semi-annual text amendment to the Public Schools and Facilities Element of the 2030 Comprehensive Plan for transmittal to Florida's various required state agencies for review.

Background Information: The proposed amendment revises the definition for concurrency management system by removing the following statement: "Applied to streets and highways, such a system is called a transportation concurrency management system."

Policy Impact Area: Planning and Development; Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-248

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Semi-Annual Text Amendment

Bill Summary: This bill approves a proposed 2011B Series semi-annual text amendment to the Future Land Use and Transportation elements of the 2030 Comprehensive Plan for transmittal to Florida's various required state agencies for review.

Background Information: The proposed amendment revises language relative to compatibility adjacent to public use airports. In particular, the Future Land Use Element is amended to define and provide standards concerning civilian airports and civilian airport influence zones. The term "civilian influence zones" is defined as follows: "Known as Airport Notice Zones in the Land Development Regulations. They encompass all lands within the 60-64.99 DNL noise contour range as shown on Map L-22. They apply to Jacksonville International Airport, Herlong Recreational Airport, Jacksonville Executive at Craig Airport and Cecil Airport." The Transportation Element is revised to provide that the City will utilize information provided by the Federal Aviation Authority and the Jacksonville Aviation Authority when developing plans to control encroachment of incompatible development in the vicinity of the previously named airports to ensure compatibility of lands adjacent to these public use airports.

Policy Impact Area: Planning and Development; Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-249

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Semi-Annual Text Amendment

Bill Summary: This bill approves a proposed 2011B Series semi-annual text amendment to the Future Land Use Element of the 2030 Comprehensive Plan for transmittal to Florida's various states agencies for review.

Background Information: The proposed amendment requires that the Rural Villages proposed mix of land uses must be projected to result in a minimum internal capture rate of 15% of the total PM peak hour trip generation at build out of the Rural Village development.

Policy Impact Area: Planning and Development; Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-250

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Semi-Annual Text Amendment

Bill Summary: This bill approves a proposed 2011B Series semi-annual text amendment to the Future Land Use Element of the 2030 Comprehensive Plan for transmittal to Florida's various required state agencies for review.

Background Information: The proposed amendment provides revised language relative to the Multi-Use land use category. It references and provides for a PUD-MU zoning district, also making provisions for Preliminary Phase and Development Phase PUD-MU applications (rather than a comprehensive and detailed PUD application).

Policy Impact Area: Planning and Development; Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-251

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Semi-Annual Text Amendment

Bill Summary: This bill approves a proposed 2011B Series semi-annual text amendment to the Future Land Use Element of the 2030 Comprehensive Plan for transmittal to Florida's various requires state agencies for review.

Background Information: The proposed amendment addresses the establishment of community gardens by adding the following: The City of Jacksonville shall allow for the establishment of community gardens. A community garden is an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation, but not for retail sale or wholesale purposes. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens are considered unsuitable for the following future land use categories: Light Industrial, Heavy Industrial, and Water Dependant-Water Related. The City of Jacksonville shall encourage community gardens as important open space resources that strengthen community cohesiveness and provide a local food source.

Policy Impact Area: Planning and Development; Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-252

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends various sections of Chapter 656, Ordinance Code, to rename references to “outdoor storage” to “outside storage” for consistency throughout the Zoning Code. Provision is made for outside display of certain heavy equipment in the Industrial Heavy zoning district, and for retail sales of storage and shipping containers in the Industrial Light and Industrial Heavy zoning districts. Section 656.415 is amended to require that screening from the public street or right-of-way by a fence cannot be chain-link and cannot be less than eight (increased from six) feet in height. Screening is to include planting of evergreen shade trees between the fence, wall, or evergreen hedge and the public street or right-of-way, a minimum 3 inch caliper, spaced no greater than 25 feet on center. The provisions are made applicable to automobile storage yards, and outside storage or outside storage yards, with exceptions relative to natural buffers and lack of visibility. The stacking of containers in an outside storage yard in the Industrial Light zoning district is limited to 27 feet in height, and to 45 feet in height in the Industrial Heavy zoning district. Containers in an outside storage yard are to be setback an initial 10 feet from any property line, and an additional one foot for each two feet of container height or fraction thereof.

Policy Impact Area: Planning and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2011-253

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: April 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: April 28, 2011

Type of Action: Ruling on appeal of Planning Commission denial of request for exception

Bill Summary: The bill rules on the appeal of Robert M. Smith, Jr. for a Zoning Exception to permit the sale of alcoholic beverages for off-premises consumption from a property at 1510 San Marco Boulevard. The bill as filed does not contain the ruling, which will be determined by the LUZ Committee during its hearing process.

Background Information: The property at 1510 San Marco Boulevard is zoned CCG-1. The Planning Commission denied the request for the exception and City Council is the quasi-judicial appeal mechanism.

Policy Impact Area: Zoning exception

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2011-254

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD, LUZ

Date of Analysis: April 28, 2011

Type of Action: Expression of support for downtown cultural redevelopment plan

Bill Summary: The bill expresses the City's support for the Planning and Development Department's document "Creating the SPARK – A Redevelopment and Cultural Plan for the Northbank Core" and for the steps described within the plan to utilize the arts and culture as a mechanism for spurring revitalization of Downtown Jacksonville.

Background Information: The Creating the SPARK report was produced by the Planning and Development Department as a means of encouraging and incentivizing the use of the arts and cultural venues and activities as a mechanism to promote the redevelopment of downtown. The arts and cultural activities and institutions have been the trigger for urban development in many cities. The bill defines the SPARK target area as the 4 city blocks bounded on the east by Newnan Street, on the west by Hogan Street, on the north by Adams Street and on the south by Forsyth Street, including the properties facing these 4 blocks on the opposite sides of the named streets. Part 1 of the SPARK plan contains 6 goals and 39 specific short- and medium-term strategies aimed at: encouraging partnerships among the City, the Cultural Council of Jacksonville and Downtown Vision Inc.; encouraging the development of art gallery and other exhibition space; encouraging the development of artist housing, including live/work space; dealing with parking issues; encouraging more pedestrian traffic downtown; developing a branding campaign; and leveraging the current success of the monthly Art Walk and Off the Grid galleries to produce more events and greater public awareness of and interest in downtown venues and activities. Part 2 of the SPARK plan includes an additional 44 strategies with a longer horizon to react to the successes or failures of Part 1 and to take more substantive actions as downtown and economic conditions may warrant.

Policy Impact Area: Arts promotion, downtown revitalization

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2011-255

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Darryl R. Daniels as Chief of the Professional Standards Division, within the Sheriff's Office Department of Personnel and Professional Standards, retroactively effective to April 23, 2011.

Background Information: Section 37.102(a), *Ordinance Code*, provides that the division chiefs, within the Office of the Sheriff, shall have a college degree or at least five years' training and experience.

Asst. Chief Daniels has been employed with the Sheriff's Office since 1991, working his way up from Police Recruit to Police Lieutenant in 2006, a position he held until his appointment as Assistant Chief in 2009. He received a master's degree in religion from the Liberty University and has completed various law enforcement training courses. Asst. Chief Daniels resides in Clay County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$80,774 to \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-256

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 22, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Alvaro Diaz as Chief of the Division of Health Services, within the Sheriff's Office Department of Corrections, retroactively effective to March 12, 2011.

Background Information: Section 37.102(a), *Ordinance Code*, provides that the division chiefs within the Office of the Sheriff shall have a college degree or at least five years' training and experience.

Mr. Diaz received Health Care Risk Management certification from the University of South Florida. He has been employed with the Sheriff's Office since 2009 as the Senior Manager of Health Services. Previously he was employed with the Duval County Health Department as a Risk Manager and Special Care Supervisor (2006-2009) and a Privacy Officer and Quality Assurance Coordinator (2003-2006). Mr. Alvaro resides in Clay County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$128,178 to \$209,270 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-257

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Maurice D. Holderfield as the Chief of Continuous Improvement, within the Sheriff's Office, retroactively effective to April 23, 2011.

Background Information: Section 37.104.1(b), *Ordinance Code*, provides that the Chief of Continuous Improvement shall have a college degree or at least five years experience and commensurate training.

Asst. Chief Holderfield has been employed with the Sheriff's Office since 1981, working his way up from Correctional Officer I to Corrections Captain in 2003, a position he held until his appointment as Assistant Chief in 2007. He has completed various law enforcement training courses. Asst. Chief Holderfield resides in Clay County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$80,774 to \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-258

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of John P. Hartley as the Director of the Department of investigations and Homeland Security, within the Sheriff's Office, retroactively effective to April 23, 2011.

Background Information: Section 37.109(b), *Ordinance Code*, provides that the Director of the Department of Investigations and Homeland Security shall have a college degree or at least five years' experience and commensurate training.

Chief Hartley has been employed with the Sheriff's Office since 1978, working his way up from Correctional Officer to appointment as Assistant Chief in 2005. He was appointed as Chief of Continuous Improvement in 2008, Chief of Homeland Security and Narcotics/Vice in 2009, and Chief of Detectives in 2010. Chief Hartley received a bachelor's degree from Liberty University and has completed various law enforcement training courses.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$94,214 to \$153,819 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-259

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Andrea M Smith as Chief of the Division of Prisons, within the Sheriff's Office Department of Corrections, retroactively effective to May 7, 2011.

Background Information: Section 37.102(a), *Ordinance Code*, provides that the division chiefs, within the Office of the Sheriff, shall have a college degree or at least five years' training and experience.

Asst. Chief Smith has been employed with the Sheriff's Office since 1994, working her way up from Police Officer to Lieutenant in 2003, a position she held until her appointment as Assistant Chief in 2008. She received a bachelor's degree from Florida State University and has completed various law enforcement training courses. Asst. Chief Smith resides in St. Johns County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$80,774 to \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-260

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Michele L. Remolde as the Director of the Department of Personnel and Professional Standards, within the Sheriff's Office, retroactively effective to April 23, 2011.

Background Information: Section 37.110(b), *Ordinance Code*, provides that the Director of the Department of Personnel and Professional Standards shall have a college degree or at least five years' experience and commensurate training.

Chief Remolde has been employed with the Sheriff's Office since 1988, working her way up from Police Officer to appointment as Assistant Chief in 2004, a position she held until her appointment as Chief of Professional Standards in 2009. She received a master's degree in criminal justice management from the University of North Florida and has completed various law enforcement training courses. Chief Remolde resides in Clay County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$94,214 to \$153,819 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-261

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Dwain E. Senterfitt as the Undersheriff, within the Sheriff's Office, retroactively effective to April 23, 2011.

Background Information: Section 37.102(a), *Ordinance Code*, provides that the Undersheriff shall have a college degree or at least five years' training and experience.

Director Senterfitt has been employed with the Sheriff's Office since 1988, working his way up from Police Recruit to appointment as an Assistant Chief in 2002. He was appointed as the Chief of Patrol East in 2003, Chief of Detectives in 2006 and Director of Investigations and Homeland Security in 2008. Director Senterfitt received a bachelor's degree from Liberty University and has completed various law enforcement training courses.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$109,892 to \$179,415 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-262

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 28, 2011

Type of Action: Appointment Confirmation with Retroactive Effective Date

Bill Summary: This bill confirms the Sheriff's appointment of Robert F. Connor, Jr. as the Chief of the Community Affairs and Special Events Division, within the Sheriff's Office Department of Patrol and Enforcement, retroactively effective to March 26, 2011.

Background Information: Section 37.102(a), *Ordinance Code*, provides that the division chiefs, within the Office of the Sheriff, shall have a college degree or at least five years' training and experience.

Asst. Chief Connor has been employed with the Sheriff's Office since 1991, working his way up from Police Recruit to Lieutenant in 1998, a position he held until his appointment as Assistant Chief in 2005. He received a bachelor's degree in criminology from Florida State University and has completed various law enforcement training courses. Asst. Chief Connor resides in Baker County.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$80,774 to \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2011-263

Sponsor: Council President Webb

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Raymond S. Pringle, Jr. to the Jacksonville Waterways Commission, replacing Richard Hartley, for a partial term ending December 31, 2011, followed by a first full three-year term ending December 31, 2014.

Background Information: The Jacksonville Waterways Commission is established pursuant to Chapter 95, *Ordinance Code*, and charged to study and make recommendations to the Council with respect to the improvement, development and protection of the St. Johns River and all tidal waters in Duval County; formulate an overall plan for dealing with any problems that exist concerning the St. Johns River; devise methods of developing future uses of the St. Johns River; serve as the Duval County committee to review rules proposed by the Florida Fish and Wildlife Conservation Commission governing speed and operation of motorboats to protect manatees; advise governmental units and the public concerning the improvement, development and protection of the St. Johns River; and act as a coordinating agency for programs and activities affecting the improvement, development and protection of the St. Johns River. Section 95.103(c), *Ordinance Code*, provides that nine of the members of the Jacksonville Waterways Commission shall be members of the general public appointed by the Council.

Pastor Pringle is a Senior Pastor with *Calvary Chapel Church*. He is President of the North Florida Chapter of the Safari Club International and has served on various boards and committees within the state addressing waterways and waterfront issues. Pastor Pringle resides in the Dinsmore area within Council District #11.

NOTE: In order to establish a consistent appointment date and term stagger for the membership of the Jacksonville Waterways Commission, the term end date for this slot on the board is being moved from March 10th to December 31st.

Policy Impact Area: Jacksonville Waterways Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2011-264

Sponsor: Council President Webb

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Paul C. Schmidt to the Jacksonville International Airport (JIA) Area Redevelopment Agency Board, replacing Earl R. Lewis as the representative for School Board District #2, for a first full term ending June 30, 2014.

Background Information: The JIA Area Redevelopment Agency Board is an advisory board to the Jacksonville Economic Development Commission. Per Ordinance 90-409-293, which created the board, the seven members are appointed by the Council, one each from the seven School Board districts.

Mr. Schmidt received a master's degree in marine science from Long Island University and is a Senior Aviation Consultant with *Reynolds, Smith & Hills*. He resides in the Golden Glades area within Council District #3 (School Board District #2).

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-265

Sponsor: Council President Webb

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Lowry A. "Lad" Daniels to the Jacksonville International Airport (JIA) Area Redevelopment Agency Board, replacing Stephen Berry as the representative for School Board District #3, for a first full four-year term beginning July 1, 2011 and ending June 30, 2015.

Background Information: The JIA Area Redevelopment Agency Board is an advisory board to the Jacksonville Economic Development Commission. Per Ordinance 90-409-293, which created the board, the seven members are appointed by the Council, one each from the seven School Board districts.

Former Council Member Daniels received a master's degree in business administration from Harvard Business School and is the President of *Daniels & Associates, Inc.* During his two consecutive terms on the Jacksonville City Council, Mr. Daniels served as Council President and five terms on the Finance Committee. H3 previously served on the JIA Area Redevelopment Agency Board (1995-1999). Mr. Daniels resides in the Royal Lakes area within Council District #5 (School Board District #3).

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-266

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: F, PHS

Date of Analysis: April 28, 2011

Type of Action: Appropriation

Bill Summary: The bill appropriates \$132,108.88 in insurance proceeds from an insurance recovery account to a mobile equipment account in the Sheriff's Office budget to fund the purchase of a replacement Waterborne Response Team boat to replace a grant-funded boat that sank.

Background Information: Several years ago the JSO used grant funds to purchase a boat for the Waterborne Response Team that was a prototype being tested by the manufacturer (Donzi) for the police boat market. The addition of a cabin to a pre-existing design added so much weight that the boat rode lower in the water, the drain holes were below the waterline, and the boat took on water until the bilge pump failed and the boat sank at the dock. This bill appropriates the insurance settlement from that boat to purchase a replacement boat of a different model

Policy Impact Area: Public safety; JSO marine patrol fleet

Fiscal Impact: The bill appropriates a \$132,108.88 insurance settlement for the purchase of a replacement boat.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-267

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD, F

Date of Analysis: April 28, 2011

Type of Action: Appropriation; authorization of fiscal year carry-over

Bill Summary: The bill appropriates \$2,300.89 in lapsed funds from an Emergency Shelter Grant reserve fund to the Sulzbacher Center for the Homeless to be used by the Sulzbacher Center in the current fiscal year

Background Information: The Sulzbacher Center for the Homeless is an annual recipient of state grants through the City for emergency shelter for the homeless. At the end of FY09-10 the Center had \$2,300.89 left unspent in an account and the money was swept into a grant reserve account. This bill returns the \$2,300.89 to the Sulzbacher Center for use in the current fiscal year.

Policy Impact Area: Homeless shelter funding

Fiscal Impact: The bill appropriates \$2,300.89 in lapsed funds from an Emergency Shelter Grant reserve fund back to the Sulzbacher Center.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-268

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: April 29, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$122,925 (a \$98,340 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency's Assistance to Firefighters Grant Program, and \$24,585 in matching funds from the Reserve for Federal Programs) to provide funding for the purchase of secure passkey protection equipment for use by firefighters during emergency responses, as initiated by B.T. 11-072; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, the Grant Agreement Articles.

Background: Presently, proprietors of commercial facilities and apartment complexes are required to keep a master key to their building secured in a Knox box so as to provide arriving fire department personnel access to the facilities in an emergency. (Knox is the vendor name). Currently, only the district chiefs have master keys to know boxes in their respective vehicles. Fire personnel arriving at an emergency has to await the arrival of a chief to gain access to a facility. This ordinance provides funding to provide all fire fighters with electronic access to the Knox box, and thus a facility, by putting access information in a computer that all firefighters can access with proper codes.

Policy Impact: Jacksonville Fire & Rescue Department/Emergency Preparedness

Fiscal Impact: The ordinance appropriates \$122,925 in a federal grant with a local match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-269

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: April 29, 2011

Type of Action: Appropriation; Agreement Approval

Bill Summary: The ordinance appropriates \$40,000 from the United States Department of Homeland Security, with no local match, for the purchase of dive equipment for the Jacksonville Sheriff's Office (JSO) Explosive Ordnance Disposal (EOD) Team, as initiated by B.T. 11-074; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Sub-Grantee Award Memorandum of Agreement.

Background: A component of the ongoing efforts to meet potential terrorist threats, the funding in the grant appropriated by this ordinance enables JSO's Explosive Ordnance Disposal Team to search, identify and safely destroy or remove explosive devices in the County's waterways including the St. Johns River, port, IntraCoastal Waterway, creeks and any other water body. The dive equipment that this grant funds includes diving tanks, dry suits and dive gear.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$40,000 in a federal grant with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-270

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: April 29, 2011

Type of Action: Appropriation; Agreement Approval

Bill Summary: The ordinance appropriates \$300,000 from the United States Department of Homeland Security, with no local match, for the purchase of a specialty van designed to be a mission ready vehicle capable of moving a team of divers and a logistical support team and equipped to detect, mitigate and prevent chemical, biological, nuclear and explosive (CBRNE) hazards in the waterways of Duval County and surrounding counties, as initiated by B.T. 11-075; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute the Sub-Grantee Award Memorandum of Agreement.

Background: The funds appropriated by this legislation enables the Jacksonville Sheriff's Office to acquire equipment and apparatus that are a vital component in the ongoing efforts to meet potential terrorist threats to Jacksonville's (and surrounding counties') waterways, including the St. Johns River, the port, the IntraCoastal Waterway and other waterways.

Policy Impact: Jacksonville Sheriff's Office/Homeland Security

Fiscal Impact: The ordinance appropriates \$300,000 in a federal grant with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-271

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: April 29, 2011

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$19,064.36 from the Florida Department of Transportation (FDOT), with no local match, for reimbursement of Jacksonville Sheriff's Office (JSO) overtime for the FDOT Safety Belt Enforcement Program.

Background: FDOT has sought JSO's cooperation in FDOT's enforcement of the laws requiring drivers and vehicle passengers to wear seat belts. After they have fulfilled their regular department responsibilities and work, there are JSO officers that then spend time specifically identifying, targeting and ticketing drivers and their passengers on roadways who are not wearing seat belts, as required by law. This FDOT grant reimburses those JSO officers for the hours they allot to the seat belt program work.

Policy Impact: Jacksonville Sheriff's Office/Florida Department of Transportation

Fiscal Impact: This ordinance appropriates a state grant in the amount of \$19,064.36, with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-272

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD; F

Date of Analysis: April 29, 2011

Type of Action: Appropriation; Agreement Approval; CIP Amendment

Bill Summary: The ordinance appropriates \$2,347.40 from the County Wide park Upgrades/Maintenance Repairs account to provide funding to River Region Human Services, Inc. for capital improvements to Beachwood Community Center, as initiated by B.T. 11-078; provides for a carryover of funds to Fiscal Year 2011-2012; approves a License Agreement between the City of Jacksonville and River Region Human Services, Inc. for management of Beachwood Community Center; approves a Funding Assistance Agreement between the City of Jacksonville and River Region Human Services, Inc. for capital improvements to Beachwood Community Services, Inc. for capital improvements. The ordinance amends the 2011-2015 Five-Year Capital Improvement Program, approved by Ordinance 2010-558-E, to increase the budget for the "Countywide Parks Upgrades (PR0541-01)" project and reduce the budget for the "Countywide Parks Upgrades (PR0597-01)" project.

Background: Beachwood Community Center is located in Council District 3. The Center is a component of the Jacksonville Journey. The capital improvements funded by this ordinance entails interior renovations of the center. Funds appropriated by this legislation complete the capital improvements that have been underway.

Policy Impact: Recreation and Community Services Department/Jacksonville Journey

Fiscal Impact: This ordinance appropriates \$2,347.40

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-273

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: April 29, 2011

Type of Action: Appropriation; Agreement Approval; CIP Amendment

Bill Summary: The ordinance appropriates \$100,000 from County Wide Park Upgrades/Maintenance Repairs account to provide funding to Unity Christian Fellowship Ministry, Inc. for capital Improvements to Westbrook Community Center, as initiated by B.T. 11-078; provides for a carryover of funds to Fiscal Year 2011-2012; approves a Lease Agreement between the City of Jacksonville and Unity Christian Fellowship Ministry, Inc. for management of Westbrook Community Center; approves a Funding Assistance Agreement between the City of Jacksonville and Unity Christian Fellowship Ministry, Inc. for capital improvements to Westbrook Community Center; provides for oversight by the Recreation and Community Services Department; the ordinance amends the 2011-2015 five-year Capital Improvement Program, approved by Ordinance 2010-558-E, to increase the budget for the "Countywide Parks Upgrades (PR0420-02)" project and to reduce the budget for the "Countywide Parks Upgrades (PR0597-01)" project.

Background: Westbrook Community Center is located in Council District 9. The Center is a component of the Jacksonville Journey. The capital improvements funded by the appropriations in this legislation entails renovations to the interior of the center. The funding in this legislation completes the renovations work that has been underway.

Policy Impact: Recreation and Community Services Department/Jacksonville Journey

Fiscal Impact: This ordinance appropriates \$100,000.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-274

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

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 360 – Environmental Regulation in Part 6 – Environmental Protection Fund to add “education and outreach services” conducted by the Board “or by entities approved by the Board” as approved uses of the resources in the Environmental Protection Fund.

Background Information: Chapter 360 currently provides that the Environmental Protection Fund can be used for removal, restoration and remediation of polluted areas and for studies, surveys, tests and investigations of potentially polluted areas. This bill would expand the authorized uses of the fund to include education and outreach services either by the Environmental Protection Board (EPB) itself or by other entities approved by the Board. In the past the provisions of this section have been waived by the City Council at the EPB’s request to help pay the costs of citizen and college student attendance at local environmental conferences and to help pay for an environmental exhibit at the Museum of Science and History. This amendment would make these “education and outreach services” an authorized use of the fund and thereby eliminate the need to invoke a waiver of the Code to permit these expenditures if approved by the EPB. The Environmental Protection Fund consists of fines levied by the City for violations of environmental regulations, money received as a result of administrative or judicial proceedings, punitive damages or civil penalties for environmental violations.

Policy Impact Area: Use of Environmental Protection Fund

Fiscal Impact: Authorizes additional uses of the fund

Analyst: Clements

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Bill Type and Number: Ordinance 2011-275

Introducer/Sponsor(s): Council Member Gaffney

Date of Introduction: April 26, 2011

Committee(s) of Reference: R, F

Date of Analysis: April 28, 2011

Type of Action: Forgiveness for failure to file required audit; directing removal of agency from non-compliance list; request for emergency action

Bill Summary: The bill forgives The Sanctuary of Northeast Florida, Inc. (The Sanctuary) for failure to comply with the provisions of Ordinance Code Chapter 118 – City Grants – requiring the provision of an annual financial report to the City for the receipt and expenditure of any grants from the City, and directs that the agency be removed from the Council Auditor’s “non-compliance” list in order to make The Sanctuary eligible for public service grant funding in FY11-12. The bill requests emergency action.

Background Information: In FY03-04 The Sanctuary received a public service grant for purposes of feeding the homeless in Jacksonville but did not provide the required annual financial report to the City. As a result of the failure to provide the audit, the agency is on the Council Auditor’s Office’s non-compliance list which prevents the agency from being allowed to receive any other City appropriations. The Sanctuary has changed its mission to focus on children’s issues and desires to apply for public service grant funding in FY11-12, but found out that they are ineligible to do so because of the non-compliance listing from several years ago. The preamble to the bill states that the agency has since provided all of the necessary information to satisfy the reporting requirements for the previous grant, but because the incident is now 7 years old, the City’s grant administrators are no longer able to verify the information submitted. This bill would direct the Council Auditor to remove The Sanctuary from the non-compliance list and permit the agency to apply for an FY11-12 grant.

Policy Impact Area: Public service grant reporting requirements

Fiscal Impact: Would remove the prohibition against the agency applying for an FY11-12 public service grant

Analyst: Clements

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Bill Type and Number: Ordinance 2011-276

Introducer/Sponsor(s): Council Member Reggie Brown

Date of Introduction: April 26, 2011

Committee(s) of Reference: R, F

Date of Analysis: April 28, 2011

Type of Action: Ordinance Code amendments

Bill Summary: The bill amends Ordinance Code Chapter 116 – Personnel Regulations – to establish a Duval County residency requirement for all City employees, including employees of the Constitutional officers. The bill also amends Chapter 50 – Organization of Boards and Commissions – to include a Duval County residency requirement for all appointees to City boards and commissions. It would require that all employees or appointees of the City or of any of its constitutional officers hired or appointed after October 1, 2011 must be or become residents of Duval County within 6 months of their hiring or appointment and must thereafter continue as a county resident for the length of their employment or appointment. It would require that, effective July 1, 2011, all appointees to City boards and commissions must be permanent residents of Duval County unless the legislation making or confirming the appointment specifically waives the residency requirement.

Background Information: From July 1979 to February 1988 the City had a residency requirement requiring all City employees to be residents of Duval County within 6 months of being hired. The current residency requirement was reestablished effective December 1, 2006.

Chapter 116 currently requires that all appointed City employees who are subject to confirmation by City Council after December 1, 2006 must reside within the 5-county Northeast Florida region: Duval, Clay, Nassau, St. Johns and Baker Counties. Prospective employees coming from outside of the Northeast Florida region may only be appointed if they agree to relocate to Duval County within 6 months of employment. Any appointed employee who fails to maintain residence in either the Northeast Florida region (if living there when originally hired) or in Duval County (if hired from outside the region) becomes ineligible for City employment and must be terminated. Chapter 50 currently provides that board or commission members must be a county resident or have a substantial economic business interest or substantial philanthropic interest in the City as determined by the City Council.

Policy Impact Area: Residency requirement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-277

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: April 28, 2011

Type of Action: Road Closure

Bill Summary: This bill closes, abandons, and/or disclaims as a right-of-way the easterly 30 feet of Burkholder Road, an unopened and unimproved right-of-way, reserving unto the City and JEA a perpetual unobstructed easement across the closed portion for ingress and egress, and for all utilities.

Background Information: Burkholder Road is located west of Dean Road, between Burkholder Circle and Marvin Road. Information on file indicates that the applicant for this closure is Steven Scott Hood, who maintains the property and desires to increase the size of his yard. No municipal agencies have objected.

Policy Impact Area: Real Estate-Closures

Fiscal Impact: Undetermined; a \$1,500 closure application fee has been paid by the applicant

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-278

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: R; TEU

Date of Analysis: April 28, 2011

Type of Action: Right-of-Way Closure/Ordinance Code Waiver

Bill Summary: This bill closes, abandons, and/or disclaims a portion of the Oak Street right-of-way transferred to the City by the Florida Dept. of Transportation after completion of work on Forest Street. The subject property is declared to be surplus to City needs, and the provisions of Section 122.423 (appraisal at or below \$25,000) are waived to allow conveyance to the applicant at the appraised value of \$2,400. No governmental agencies have objected.

Background Information: The applicant, Dr. Michael D. Spencer, is the lone abutting property owner and he has requested closure to allow development.

Policy Impact Area: Real Estate-Closures

Fiscal Impact: Undetermined; a closure application fee of \$1,500 has been paid by the applicant

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-279

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD, F

Date of Analysis: April 28, 2011

Type of Action: Authorization of economic development agreement; expression of support for QTI application; designation of oversight agency

Bill Summary: The bill authorizes the execution of an economic development agreement between the City and C2C Solutions (a division of Blue Cross and Blue Shield of Florida) in support of a Qualified Targeted Industry (QTI) incentive for the company to expand a Medicare/Medicaid dispute resolution service in Jacksonville. The City would commit to pay up to \$33,000 (20%) as the required local match toward a state QTI incentive of \$165,000 for the creation of 55 new full-time jobs paying an average wage of \$48,534 or 115% of the statewide average wage. The QTI package would be contingent on C2C Solutions being the successful bidder for a federal contract to operate a Qualified Independent Contractor adjudication service for the federal government.

Background Information: C2C Solutions proposes to lease unoccupied office space in the Blue Cross and Blue Shield building on Riverside Avenue and to invest approximately \$901,000 in office machinery, equipment, furniture and fixtures to accommodate the 55 new employees who will be appeals specialists, document managers and reconsideration specialists. The company is competing for a contract to serve as the appeals adjudication service for the Medicare Advantage program, hearing and ruling on coverage determinations, denials of coverage, etc. by Medicare and Medicaid participants. The payroll for the 55 positions, which are required to be hired by December 2012, would be approximately \$3.3 million.

Policy Impact Area: Economic development

Fiscal Impact: The City would commit to paying up to \$33,000 (20%) as the required local match toward a total QTI incentive of \$165,000.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-280

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD, F

Date of Analysis: April 28, 2011

Type of Action: Authorization of economic development agreement; expression of support for QTI application; election of exemption from QTI local match requirement; designation of oversight agency

Bill Summary: The bill approves an economic development agreement between the City and Ringtail Technologies, LLC committing the City's support for an application by Ringtail for a Qualified Targeted Industry (QTI) grant through the state's Office of Tourism, Trade and Economic Development to support the establishment of the technology company's American headquarters in downtown Jacksonville. The City commits to fund up to \$45,000 or 20% of the QTI as the required local match, with the state funding the remaining 80%. The City would request an exemption by the state from paying the 20% local match on a \$150,000 Brownfield Bonus for which the company would also qualify if it locates within a designated brownfield area.

Background Information: The company proposes to create 75 new full-time jobs with a projected average wage in excess of \$45,834 which is 115% of the state average wage, and therefore qualifies for the QTI incentive. The company produces a wireless system to provide internet, telephone and television service using UHF and VHF frequencies. The company proposes to locate its facility in 23,200 square feet of The Library (the former Haydon Burns main library) on Ocean Street.

Policy Impact Area: Economic development

Fiscal Impact: The City would commit to a \$45,000 share of a \$225,000 QTI grant from the state.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-281

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

Date of Introduction: April 26, 2011

Committee(s) of Reference: RCD; F

Date of Analysis: April 29, 2011

Type of Action: Approval of Revenue Bonds Issuance; Agreement Approval

Bill Summary: This ordinance approves the issuance of Revenue and Revenue Refunding Bonds (the Bolles School Project) by the Jacksonville Economic Development Commission (JEDC) in an aggregate amount not to exceed \$10,000,000 to provide all or a part of the funds to finance, refinance, or refund the costs of capital projects consisting of education facilities owned and operated by the Bolles School and related expenses and costs; the ordinance approves the form of and execution by the Jacksonville Economic Development Commission of an Interlocal Agreement with St. Johns County, Florida; the ordinance provides for City oversight by the Jacksonville Economic Development Commission; provides for compliance with the provisions of Section 104.306 (b) (3) (ii) (Application Review) of Chapter 104 (Bonds), *Ordinance Code*, for placement of the bonds, and providing for certain additional requirements in connection with the sale of the bonds.

Background: Established in 1933, the Bolles School is an independent, co-education, private college preparatory school that operates out of four campuses in the Jacksonville area. The main campus is located at 7400 San Jose Boulevard (Council District 5); the Bartram campus is located at 2264 Bartram Road in Jacksonville and the Ponte Vedra Beach campus is located at 200 ATP Boulevard. The Bolles School has requested that the JEDC its Revenue and Revenue Refunding Bonds to finance, refinance, or refund all or a part of the cost of the acquisition, construction and installation of improvements to and equipment for its educational facilities at the San Jose, Bartram and Ponte Vedra Beach campuses. The proceeds of the Bonds will be used to (i) refund the JEDC'S outstanding Variable Rate Demand Revenue Bonds (Bolles School Project), Series 1999A, (ii) refinance certain outstanding debt previously incurred by Bolles, (iii) pay the cost of terminating two interest rate swap agreements, (iv) finance miscellaneous capital expenditures by Bolles for educational facilities, and (v) pay the costs of issuing the bonds. Florida Statutes, Parts II and III, Chapter 159, Chapter 97-339, Laws of Florida, authorizes the Jacksonville Economic Development Commission as the sole industrial development authority for the City of Jacksonville. The Industrial Development Revenue Bond Review Committee of the JEDC adopted a resolution on April 7, 2011 expressing JEDC's intention to issue the Bonds. The pledged sources for repayment of the bonds are loan repayments to be made pursuant to a loan agreement with Compass Bank. The JEDC and the City will not have liability for payment of any debt service related to the issuance.

Policy Impact: Jacksonville Economic Development Commission; Industrial Revenue Bonds

Fiscal Impact: This ordinance approves JEDC's issuance of Industrial Revenue Bonds in an aggregate amount not to exceed \$10,000,000, with no JEDC or City liability in loan repayments.

Analyst: Jackson

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Bill Type and Number: Resolution 2011-282

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Helen C. Rowan as a member of the Jacksonville Economic Development Commission (JEDC), as a downtown representative, for a second two-year term ending June 30, 2013.

Background Information: The JEDC is established pursuant to Article 24, *Jacksonville Charter, Part A*, and empowered as the sole community redevelopment agency for the City and the City's only countywide industrial development authority with authority over all economic development functions within the City of Jacksonville. Section 24.03, *Jacksonville Charter*, provides that the nine members of the JEDC shall be residents of the City of Jacksonville, appointed by the Mayor, and confirmed by the Council. At least three members of the commission shall reside work, or own property in the Jacksonville Downtown Area.

Ms. Rowan received a master's degree in business administration from the Amos Tuck School of Business at Dartmouth College. She is the Vice President for Strategic Planning and Communications at *Rayonier, Inc.*, a firm located in the Southbank area within the Downtown Zoning Overlay. Ms. Rowan resides in the Monclair area within Council District #5.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-283

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Robert W. Helms, as a member of the Jacksonville Economic Development Commission (JEDC), for a second two-year term ending June 30, 2013.

Background Information: The JEDC is established pursuant to Article 24, *Jacksonville Charter, Part A*, and empowered as the sole community redevelopment agency for the City and the City's only countywide industrial development authority with authority over all economic development functions within the City of Jacksonville. Section 24.03, *Jacksonville Charter*, provides that the nine members of the JEDC shall be residents of the City of Jacksonville, appointed by the Mayor, and confirmed by the Council.

Mr. Helms received a bachelor's degree in business and psychology from Western Carolina University and is retired from *Wachovia Bank of Florida*. He resides in the Ortega area within Council District #14.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-284

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 26, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Logan M. Rink as a member of the Downtown Development Review Board (DDRB), as a downtown business owner representative, for a third two-year term ending June 30, 2013.

Background Information: The DDRB is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including downtown property owners or owners of or full time employees at a downtown business or professional office.

Mr. Rink is a founder and managing partner of *Design Cooperative, LLC*, a firm located within the Downtown Zoning Overlay. He resides in the Avondale area within Council District #14.

Policy Impact Area: Downtown Development Review Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-285

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Montasser M. "Monty" Selim as a member of the Downtown Development Review Board (DDRB), as an urban planner representative, for a third two-year term ending June 30, 2013.

Background Information: The DDRB is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including urban planners.

Mr. Selim received a bachelor's degree in civil engineering from Cairo University, Egypt and is President of *Selim Consulting, Inc.* He resides in the Mandarin area within Council District #6.

Policy Impact Area: Downtown Development Review Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-286

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Timothy L. Miller as a member of the Downtown Development Review Board (DDRB), as a downtown property/business owner representative, for a third two-year term ending June 30, 2013.

Background Information: The DDRB is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including downtown property owners or owners of or full time employees at a downtown business or professional office.

Mr. Miller received a bachelor's degree in architecture from Auburn University and a bachelor's degree in design from the University of Florida. He is licensed in the state as both an Architect and an Interior Designer. Mr. Miller is a partner with *Ervin Lovett & Miller*, a firm located within the Downtown Zoning Overlay. He resides in the Miramer area within Council District #5.

Policy Impact Area: Downtown Development Review Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-287

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Andy W. Sikes as a member of the Downtown Development Review Board (DDRB), as an urban planner representative, for a third two-year term ending June 30, 2013.

Background Information: The DDRB is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including urban planners.

Mr. Sikes received a master's degree in planning from Florida State University and is the Director of Safety, Security, Parking and Emergency Management Services with *Baptist Health*. He also serves on the City's Security & Emergency Preparedness Planning Council and the JIA Area Redevelopment Agency Board. Mr. Sikes resides in the Chimney Lakes area within Council District #14.

Policy Impact Area: Downtown Development Review Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-288

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 25, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Menelaos K. "Manny" Papalas as a member of the Better Jacksonville Plan (BJP) Project Administration Committee, filling the slot formerly held by Scott Noe as a private citizen representative, for a first full five-year term ending March 31, 2016.

Background Information: The BJP Project Administration Committee is established pursuant to Chapter 761, Section 107, *Ordinance Code*, and charged to study The Better Jacksonville Plan projects with the goal of advising how to construct and complete such projects in the most efficient manner possible and to oversee execution of work of all such projects as each such project is ready to be designed, right-of-way acquired, permitted and constructed. Section 761.107(b), *Ordinance Code*, provides that two of the members of the committee shall be private citizens who are not affiliated with or employed by any business or occupation that would be involved in the implementation of The Better Jacksonville Plan projects.

Mr. Papalas received a law degree from Florida State University and is a trial lawyer with *Gray Robinson, P.A.* He resides in the Briarwood area within Council District #5.

Policy Impact Area: Better Jacksonville Plan Project Administration Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-289

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: R

Date of Analysis: April 26, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Charles B. "Charlie" Tomm as a member of the Better Jacksonville Plan (BJP) Financial Administration Committee, filling the slot formerly held by Daniel Edelman as a private citizen representative, for a first full five-year term ending March 31, 2016.

Background Information: The BJP Project Administration Committee is established pursuant to Chapter 761, Section 107, *Ordinance Code*, and charged to determine and assess the general conditions of the market for municipal bonds and notes (including opportunities for efficient use of bond anticipation notes, other bridge financing and refunding bonds), and other appropriate financial markets and take into account the effect of the terms of each series to be issued on all of the Plan Projects in order that the Plan, as an entirety, may be efficiently financed. Section 761.107(a), *Ordinance Code*, provides that two of the members of the committee shall be private citizens who are not affiliated with or employed by any business or occupation that would be involved in the implementation of The Better Jacksonville Plan projects.

Mr. Tomm received a law degree from Washington & Lee University and is the President & CEO of *The Brumos Companies* in Jacksonville. He has previously served on the Jacksonville Housing Authority. Mr. Tomm resides in St. Johns County.

Policy Impact Area: Better Jacksonville Plan Financial Administration Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-290

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 26, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: April 29, 2011

Type of Action: Appropriation; Redevelopment Agreement Authorization

Bill Summary: This ordinance appropriates \$640,000 from the Northwest Jacksonville Economic Development Trust Fund (NWJEDF) (a \$380,000 NWJEDF land and a \$260,000 NWJEDF grant) to KJB Specialties, Inc. for the acquisition and renovation of a 34,000 square foot manufacturing and distribution facility in Council District 9, as initiated by B.T. 11-080; provides a carryover of funds to Fiscal Year 2011-2012; authorizes the Mayor and Corporation Secretary to execute the Redevelopment Agreement between the City and KJB Specialties, Inc. and to take further action to effectuate the purpose of this ordinance.

Background: Founded and incorporated in January 1999, KJB Specialties, Inc. is located at 1551 West Edgewood Avenue. KJB Specialties, whose co-owners are Mr. & Mrs. Jerome Brown, sells barbeque and develops a variety of sauces. The signature sauce, the Jerome Brown Original BBQ sauce is now available in limited quantities in Sam's Wholesale Clubs in the Jacksonville area. KJB Specialties, Inc. has entered into a Supplier Agreement with Wal-Mart Stores, Inc. to supply their signature sauce for resale nationally. To accommodate their purchasing requirements, Wal-Mart has requested that KJB Specialties begin to manufacture the sauce in sufficient quantities. KJB Specialties proposes to establish and equip and manufacturing facility located at 5638 Commonwealth Avenue. The project would create 56 new full-time jobs within 36 months with an average annual wage estimated to be \$24,800. Project Assistance entails a loan to defray costs of building acquisition and renovation (with a 25 year term and a 25 year amortization at a fixed 3% interest rate) and a grant to defray the cost of renovations and equipment. A clawback in the Agreement stipulates that if the developer fails to create 56 jobs within 36 months of the project's completion, the developer will repay the City \$4,443 per job below the 56-person new job creation target.

Policy Impact: Economic Development; North West Jacksonville; Jacksonville Economic Development Commission

Fiscal Impact: The ordinance appropriates \$640,000 in a combination of loan and grant from the Northwest Jacksonville Economic Development Trust Fund.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-292

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

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Solid waste hauler contract amendment, extension and annual rate adjustment; Ordinance Code waiver; approval of settlement agreement

Bill Summary: The bill authorizes a first amendment to the contract between the City and Advance Disposal Services to set the rates for solid waste hauling services for FY10-11. The amendment retains the current per premises rate of \$10.39 for the period of October 1, 2010 to December 31, 2010, and changes the rate to \$9.86 for the period January 1, 2011 to September 30, 2011. The bill also sets fuel consumption caps of 301,402 gallons for FY10-11, 304,442 gallons for FY11-12 and 307,512 for FY12-13. The amendment also adds a new section to the contract requiring Southland to implement new fuel control policies and procedures to ensure the City-provided fuel is used exclusively for City allocated and approved vehicles, and requiring the company to report to and reimburse the City for any improper fuel transactions. The bill waives the provision of Ordinance Code Section 382.309 that requires waste hauler rates to be set in the month of September and to be uniform for a whole fiscal year.

The bill approves an extension of the contract term for 3 years additional years from September 30, 2016 to September 30, 2019 and waives the provision of Chapter 382 which requires contract extensions to be in 6-year increments and to be applied for in November of the fifth year of the current contract. The bill also approves a settlement between the City and Advance Disposal whereby the company will pay the City \$282,999 in compensation for improper use of City-provided resources to provide waste collection services the Town of Baldwin from 2007 to 2011. The \$282,999 represents \$222,999 in unauthorized service costs and \$60,000 in liquidated damages, and will be paid in the form of a withholding by the City of funds due to Advance Disposal.

Background Information: The Ordinance Code provides that the City shall perform a full rate review on solid waste hauler contracts every three years, and that rates in the two intervening years shall be set by an adjustment equal to 70% of the Consumer Price Index for All Consumers for the 12 months ending in May of the current year. In 2007 the City waived that provision at the time of the contract renewal to permit an adjustment of 100% of the CPI (up to 4.2%) per year. The Code provides that the annual adjustment shall take place not later than September 30th each year and shall be effective for the period of October 1 to September 30 of the succeeding year.

Policy Impact Area: Solid waste hauler annual rate adjustment; contract extension

Fiscal Impact: Anticipated savings of \$619,000 in FY10-11 due to reduced per premises rate, with similar savings in FY11-12 and FY12-13

Analyst: Clements

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Bill Type and Number: Ordinance 2011-293

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

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Solid waste hauler contract amendment and annual rate adjustment; Ordinance Code waiver; approval of settlement agreement

Bill Summary: The bill authorizes a first amendment to the contract between the City and Waste Pro of Florida, Inc. to set the rates for solid waste hauling services for FY10-11. The amendment retains the current per premises rate of \$10.24 for the period of October 1, 2010 to December 31, 2010, and changes the rate to \$9.75 for the period January 1, 2011 to September 30, 2011. The bill also sets fuel consumption caps of 374,456 gallons for FY10-11, 377,216 gallons for FY11-12 and 379,976 for FY12-13. The amendment also adds a new section to the contract requiring Southland to implement new fuel control policies and procedures to ensure the City-provided fuel is used exclusively for City allocated and approved vehicles, and requiring the company to report to and reimburse the City for any improper fuel transactions. The bill waives the provision of Ordinance Code Section 382.309 that requires waste hauler rates to be set in the month of September and to be uniform for a whole fiscal year.

The bill also approves a settlement between the City and Waste Pro whereby the company will pay the City \$195,857 in compensation for improper use of City-provided resources to provide waste collection services to commercial mobile home parks and to provide tire and appliance pickup services in the City of Neptune Beach. The \$195,857 represents \$148,357 in unauthorized service costs and \$47,500 in liquidated damages.

Background Information: The Ordinance Code provides that the City shall perform a full rate review on solid waste hauler contracts every three years, and that rates in the two intervening years shall be set by an adjustment equal to 70% of the Consumer Price Index for All Consumers for the 12 months ending in May of the current year. In 2007 the City waived that provision at the time of the contract renewal for the life of the agreement to permit an adjustment of 100% of the CPI (up to 4.2%) per year. The Code provides that the annual adjustment shall take place not later than September 30th each year and shall be effective for the period of October 1 to September 30 of the succeeding year.

Policy Impact Area: Solid waste hauler annual rate adjustment

Fiscal Impact: Anticipated savings of \$391,760 in FY10-11 due to reduced per premises rate, with similar savings in FY11-12 and FY12-13

Analyst: Clements

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Bill Type and Number: Ordinance 2011-294

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

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Solid waste hauler contract amendment and annual rate adjustment; Ordinance Code waiver

Bill Summary: The bill authorizes a first amendment to the contract between the City and Republic Services of Florida Limited Partnership (d/b/a Southland Waste Systems of Jacksonville) to set the rates for solid waste hauling services for FY10-11. The amendment changes the per premises rate from the current \$10.24 to \$10.53 for the period of October 1, 2010 to December 31, 2010, and to \$9.85 for the period January 1, 2011 to September 30, 2011. The bill also sets fuel consumption caps of 340,263 gallons for FY10-11, 343,293 gallons for FY11-12 and 346,323 for FY12-13. The amendment also adds a new section to the contract requiring Southland to implement new fuel control policies and procedures to ensure the City-provided fuel is used exclusively for City allocated and approved vehicles, and requiring the company to report to and reimburse the City for any improper fuel transactions. The bill waives the provision of Ordinance Code Section 382.309 that requires waste hauler rates to be set in the month of September and to be uniform for a whole fiscal year.

Background Information: The Ordinance Code provides that the City shall perform a full rate review on solid waste hauler contracts every three years, and that rates in the two intervening years shall be set by an adjustment equal to 70% of the Consumer Price Index for All Consumers for the 12 months ending in May of the current year. In 2007 the City waived that provision at the time of the contract renewal to permit an adjustment of 100% of the CPI (up to 4.2%) per year. The Code provides that the annual adjustment shall take place not later than September 30th each year and shall be effective for the period of October 1 to September 30 of the succeeding year.

Policy Impact Area: Solid waste hauler annual rate adjustment

Fiscal Impact: Estimated to be a \$391,760 savings in FY10-11 and a like amount in the 2 succeeding fiscal years due to the reduced per premises charge.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2011-295

Introducer/Sponsor(s): Council Member Corrigan

Date of Introduction: April 26, 2011

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

Date of Analysis: April 28, 2011

Type of Action: Authorization of land swap agreement; Ordinance Code waivers

Bill Summary: The bill authorizes an agreement between the City and AFI Associates, Inc. to execute a land swap arrangement to exchange a parcel of City-owned property near the intersection of Old Middleburg Road and Argyle Forest Boulevard (totaling approximately 11.6 acres) for two parcels of AFI-owned land on Oakleaf Plantation Parkway near Brannan Chaffee Road (approximately 88 acres) for purposes of developing a new regional park. The properties, while differing substantially in size, have approximately the same value. The bill waives the provisions of Ordinance Code Chapter 122 – Public Property – to permit an exchange of the properties without an investigation of need within City government for potential uses of the property and without selling the property via a competitive bidding process.

Background Information: The City-owned parcels were acquired from the Villages of Argyle DRI for recreation purposes. The DRI developer proposes to the two parcels totaling 80 acres on Oakleaf Plantation Parkway to the City for use as a more desirable regional park property in exchange for the 13.6 acres on Old Middleburg Road which the developer prefers for use as a commercial development.

Policy Impact Area: Parkland acquisition

Fiscal Impact: The Property Appraiser's web site shows a fair market value for the City-owned parcel of \$1,730,000.

Analyst: Clements