

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Resolution 2018-519

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: F

Date of Analysis: August 16, 2018

Type of Action: Authorization of economic development agreement; commitment to QTI match; designation of oversight agency; affirmation of compliance with Public Investment Policy

Bill Summary: The bill authorizes execution of an economic development agreement between the City and Project Grid (identity temporarily kept confidential) for the creation of new, full-time jobs in the city. The City commits to paying a Qualified Targeted Industry (QTI) local match (20%) of up to \$98,800 to match the state's \$379,200 commitment. The bill designates the Office of Economic Development as the City's oversight agency and affirms that the incentive complies with the provisions of the City's Public Investment Policy.

Background Information: Project Grid is a worldwide company that processes and selling a variety of products. The company proposes to expand its current Jacksonville professional support office by creating 79 new, full-time jobs at an average wage of \$69,519 by December of 2022 to perform IT, accounting, human resource and procurement functions. The company anticipates expending an estimated \$790,000 in building renovations and purchase of new furniture and equipment for these employees. The Office of Economic Development calculates a positive return on investment of 1.89.

Policy Impact Area: Economic development

Fiscal Impact: The City commits to paying a QTI local match of up to \$98,800.

Analyst: Clements

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Bill Type and Number: Ordinance 2018-524

Introducer/Sponsor(s): Introduced by Council Member Crescimbeni

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU, F

Date of Analysis: August 16, 2018

Type of Action: Planting restriction

Bill Summary: This bill will prohibit the use of Medjool Date Palms for new planting by the city. A date palm cannot be used as a Replacement Tree because it is not expressly identified as such and is not an indigenous tree that reaches a height maturity of at least 45 feet and a spread at maturity of at least 30 feet.

Background Information: The Medjool Date Palms are native to arid and hot environments such as the deserts of the Middle East and thrive in those conditions, but not in the humid environment of Jacksonville, thus the Medjool Date Palms frequently contract a fungus that causes decline and frond droop.

Policy Impact Area: City tree planting policy

Fiscal Impact: Medjool Date Palm costs approximately \$5,000.00 installed and \$300 to \$500 per year to maintain.

Analyst: Distel

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Bill Type and Number: Ordinance 2018-525

Introducer/Sponsor(s): Introduced by Council President at the Request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: F

Date of Analysis: August 13, 2018

Type of Action: Ordinance Code amendment

Bill Summary: This bill is an ordinance amendment to sub-paragraph (d) to Section 122.202 (Parking Rates at Municipal Parking Lots), *Ordinance Code*. Currently the ordinance designates a discount for City employee parking in City owned facilities through October 1, 2018. The amendment extends the discount rate for City employees to park in City owned parking facilities for two additional years through September 30, 2020.

Background Information: According to Section 122.202 (d) *Ordinance Code*, the Economic Development Officer shall develop hourly, monthly and special event rates for each municipal parking lot facility managed by the Office of Public Parking. The Economic Development Officer and the Downtown Investment Authority Chief Executive Officer jointly developed a discount program for customers of the Office of Public Parking who lease large numbers of parking spaces or who commit to yearly or longer contracts.

As of October 1, 2014, all City employees (including all City of Jacksonville employees and employees of the Duval County Supervisor of Elections, Duval County Property Appraiser, Duval County Tax Collector, and Duval County Clerk of Court) who are monthly parkers at municipal owned parking facilities operated by the Office of Public Parking, are entitled to a reduced monthly parking rate of fifty percent of the established, monthly parking rate for the given facility. The discount will be evaluated again prior to September 30, 2020.

Policy Impact Area: Employee parking in City owned parking facilities

Fiscal Impact: The Downtown Investment Authority, Office of Public Parking calculates the financial impact of extending the discount for 665 employees to be \$21,170/month or \$254,040/ year. Based on current revenue balance and projections, the funds exist to support this discount.

Analyst: Hampsey

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Bill Type and Number: Ordinance 2018-0526

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 16, 2018

Type of Action: Appropriations

Bill Summary: The bill will appropriate \$238,078 the Jacksonville Fire and Rescue Department (JFRD) to purchase 20 mobile dispatch terminals and 50 portable radios to support the crews responding to 9-1-1 calls for service.

Background Information: The JFRD has been using portable radios out of reserves to support these units, but now is at or below critical reserve capacity to support emergency services to the community.

JFRD has 5 rescues, 2 engines, 4 ASAP rescue units and 15 Tankers in need of Mobile Dispatch Terminals in the units. These units are used to dispatch 9-1-1 calls to the crews responding to incidents. The appropriation includes docking stations for the devices in the units. 50 Portable Radios are also needed for the same units mentioned above and placed in service over the last several years without the purchase of portable radio support.

Policy Impact Area: Public safety response.

Fiscal Impact: Appropriations of \$238,078 to provide funding to purchase 50 portable radios and 20 mobile dispatch terminals.

Analyst: Distel

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Bill Type and Number: Ordinance 2018-527

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 14, 2018

Type of Action: Appropriation; Emergency Passage Request

Bill Summary: The bill appropriates an additional \$86,211.00 from the U. S. Department of Health and Human Services to the Emergency Home Energy Assistance for the Elderly Program (EHEAP) Grant to provide continuity of service for the extended period of service of the grant, as initiated by B.T. 18-090; requests one cycle emergency passage; and provides for City oversight by the Department of Parks, Recreation and Community Services.

Background Information: The additional funds increase the original grant amount listed in Ordinance 2016-504. This appropriation allows for the continuation of services to September 30, 2018, an extension of six months to the initial grant period.

The EHEAP Grant provides crisis assistance to eligible low-income households with at least one individual aged 60 or older experiencing a heating or cooling emergency. The grant allows for payments to utility companies, the purchase of blankets, portable heaters and fans, the repair of existing heating or cooling equipment, and the payment of reconnection fees. 1. Eligible households may receive one benefit, up to \$600.00, per season.

Policy Impact Area: Emergency Home Energy Assistance; ElderSource

Fiscal Impact: The appropriation of \$86,211.00, as initiated by B.T. 18-090.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2018-528

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU

Date of Analysis: August 17, 2018

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims a portion of the right-of-way on Adams Street, a 60 foot open and improved right-of-way extending along the eastern border of Georgia Street to the western border of former Brider Street, as established in Plat Book Q, page 664, East Jacksonville, of the Official Records of Duval County, Florida, in Council District 7, at the request of the Mayor (the "applicant"), subject to reservation unto the City of Jacksonville, JEA, ATT, TECO Peoples Gas System and Comcast of easements over the closed portion of the right-of-way for ingress and egress and for all utilities and facilities.

Background Information: The closure of the right-of-way is at the request of the Mayor ("applicant"). There is reserved unto the City of Jacksonville, JEA, ATT, TECO Peoples Gas System and Comcast perpetual unobstructed easements on, over, across, under and through the closed portion of the right-of-way for ingress and egress and for all utilities and facilities, including, but not limited to, water sewer, electric and drainage. The closure is requested to allow for future development of the property. This request was sent to various state, municipal and utility agencies which might have an interest in the matter and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: There was no closure application fee because the applicant is exempt from the fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2018-529

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU

Date of Analysis: August 14, 2018

Type of Action: Approval and authorization of a statewide mutual aid agreement

Bill Summary: The bill approves and authorizes the Mayor and Corporation Secretary to execute the 2018 update of the Statewide Mutual Aid Agreement between the City of Jacksonville and the State of Florida Division of Emergency Management.

Background Information: The Emergency Management Act, Chapter 252, *Florida Statutes*, provides each local government of the state the authority to develop and enter into mutual aid agreement within the state for reciprocal emergency aid and assistance in case of emergencies too extensive to deal with unassisted, and through such agreements to ensure the timely reimbursement of costs incurred by the local governments which render such assistance.

The Florida Division of Emergency Management (FDEM) requires all counties to adhere to the most recent version of the Statewide Mutual Aid Agreement (SMAA). The agreement has been updated for 2018 which include the following provisions:

- Allowing the SMAA to be used for smaller events; no declaration of a state of emergency is needed for the agreement to be activated. This allows for a formal mutual aid process for the entities within Florida to use.
- In using the SMAA for mutual aid, the requesting entity agrees to reimburse the assisting party per the terms of reimbursement in the SMAA. However, if the terms for reimbursement are to vary from the provisions of the SMAA, this needs to be specified via the Form B and signed off by both parties prior to the assistance being rendered.
- The SMAA automatically renews each year; only the contact information needs to be updated by using the Form C each year.

Policy Impact Area: Mutual aid; Emergency preparedness and management

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2018-530

Introducer/Sponsor(s): Introduced by Council Member Brosche

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU, R

Date of Analysis: August 13, 2018

Type of Action: Honorary street designation ordinance

Bill Summary: This bill names a portion of Butler Street, from Avenue B to Kinwood Avenue in Council District 8, with an honorary designation for Margaret Clayton Day. This legislation also authorizes the installation of two roadway memorial markers. Section 745.105(i)(3), *Ordinance Code*, which specifies that honorary designations may be made only for persons residing within 5 miles of the location of the designation for a period of 10 years, is waived. The waiver is due to the fact that the honoree served as a loyal teacher for a number of years at Carter G. Woodson Elementary School, which is actually located at 2334 Butler Street, and within 5 miles of the location of the honorary designation.

Background Information: For almost 40 years, Margaret Clayton Day was a dedicated teacher years in the Duval County School System, 25 years of which were spent as a 6th grade teacher at Carter G. Woodson Elementary School. Mrs. Day was also active in several civic organizations, was a member of the Alpha Upsilon Zeta Chapter of Zeta Phi Beta Sorority, and was the first scorer to serve at the Annual Bob Hayes Track and Field Meet starting in 1968. Mrs. Day passed away in 2011. The Planning and Development Department mailed two written notifications to affected property owners concerning the proposed honorary street.

Policy Impact Area: Honorary street naming

Fiscal Impact: No direct cost to the City, a private donor has covered the cost for the honorary markers.

Analyst: Hampsey

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Bill Type and Number: Ordinance 2018-531

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU, F

Date of Analysis: August 16, 2018

Type of Action: Extension of moratorium; direction for notification; retroactive applicability

Bill Summary: The bill amends several previous ordinances for the purpose of extending the temporary moratorium on the collection of payments on vehicle-for-hire medallion renewals and late fees thereon for late renewal for 6 months until March 21, 2019. The Office of Public Parking shall notify the Jacksonville International Airport with a copy to the Executive Director of the Jacksonville Aviation Authority and the Beaches police chiefs of the extension of the 180 day moratorium.

Background Information: Ordinance 2015-835-E, enacted on December 8, 2015, established a temporary moratorium (90 days) on medallion renewals and late fees for medallion renewals pertaining to vehicles for hire, pursuant to Section 220.217, Ordinance Code. This is the eighth time the moratorium has been extended, in part because legislation was pending the state legislature with regard to uniform regulation of Transportation Network Companies (TNCs) such as Uber and Lyft. The 2017 Florida Legislature, after several years of failed attempts, adopted statewide regulatory standards for TNCs, which may change how the City wishes to deal with other vehicles for hire such as taxis in its local regulations. The medallion renewal fee moratorium will give the Council time to consider potential changes to the City's vehicle for hire regulatory system.

Policy Impact Area: Vehicle for hire medallion renewals

Fiscal Impact: Revenue loss from medallion renewals payments and late fees; when the moratorium was enacted in December 2015 there were 1,146 vehicle-for-hire medallions renewable at a cost of \$100 per year; the late renewal fee is \$10 per month after the deadline.

Analyst: Clements

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Bill Type and Number: Ordinance 2018-532

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: TEU

Date of Analysis: August 17, 2018

Type of Action: Easement Authorization; Conveyance

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver in connection with construction of a National Cemetery access road and in accordance with Section 122.421 (B), *Ordinance Code*: (1) a temporary easement granting to the State of Florida Department of Transportation (FDOT) a temporary construction easement in, over and under Parcel 700.1 (A) (RE# 019625-0100) and Parcel 700.1 (B) (RE# 019619-0000); (2) a City Deed conveying to FDOT Parcel 101.1 (RE# 01964-0000; and, (3) a City Quitclaim Deed conveying to FDOT Parcel 102.2 (RE #019620-0500), together with all documentation necessary to convey said fee parcels and grant said temporary construction easement.

Background Information: FDOT intends to extend Ethel Road at Lannie Road to the south and east to Arnold Road where it currently terminates at Kite Road. A TCE (Temporary Construction Easement) for Parcel 700.1 (A) is located at the intersection of Lannie Road and Ethel Road (near RE# 019625-0100), and 700.1 (B) is located at the present termination of Arnold Road at Kite Road (RE # 019619-0000). The TCE will be used to tie in the new road at each terminus and include about 1.3 acres total. The City Deed for parcel 101.1 (RE#19640-0000) includes a 3.6 acre portion of the parcel and will be used to create the new right-of-way. The Quitclaim Deed for parcel 102.2 (RE#019620-500) releases a City interest in an open ditch drainage easement granted to the City in Official Records Book 5979, page 844 from My 4, 1984. Public Works Engineering, Right-of-Way Stormwater Management Division, and the Parks Department have no objections to these conveyances. The property interests being conveyed by deed will be returned back to the City after completion of the project pursuant to a Transfer and Maintenance agreement currently in pending legislation, Ordinance 2018-412. The construction site is located in Council District 7.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2018-533

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 16, 2018

Type of Action: Authorization of multifamily housing revenue bond issuance

Bill Summary: The bill authorizes the Jacksonville Housing Finance Authority to issue up to \$24,980,000 in multifamily housing revenue bonds on behalf of LRC Desert-Silver, LLC to finance the acquisition and rehabilitation of two apartment complexes for use as affordable housing for persons of low, middle or moderate income.

Background Information: LRC Desert-Silver, LLC is a Montgomery, Alabama-based Florida limited liability corporation that proposes to purchase 2 apartment complexes (Silver Creek and Desert Winds) on Silver Creek Trace and Sahara Court in the southwest quadrant of the intersection of Southside Boulevard and Atlantic Boulevard and to rehabilitate those complexes with a total of 304 units for affordable housing purposes using JHFA multifamily housing revenue bonds as a primary funding source. The company's *pro forma* shows public assistance-eligible acquisition costs of \$15.98 million for the complexes and development costs of \$27.24 million. The total project cost (both eligible and ineligible for public financial assistance) is \$38,850,000 and the developer's equity investment is \$9,939,553 in addition to the JHFA bond proceeds.

Policy Impact Area: Affordable housing

Fiscal Impact: No liability on the part of the City – all debt service to be paid by LRC Desert-Silver, LLC.

Analyst: Clements

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Bill Type and Number: Ordinance 2018-535

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: August 14, 2018

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

Date of Analysis: August 16, 2018

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 70 – Duval County Tourist Development Council – to add language authorizing the TDC to make a one-time lump sum advance payment to the City’s “county destination marketing organization (DMO)” of up to 10% of the first year contract amount per contract term (which includes all renewal terms) to provide necessary start-up funds for the DMO to commence operations. It also permits the TDC to develop rules, policies and restrictions regarding such advance payments.

Background Information: The TDC’s contract with its DMO (currently Visit Jacksonville, Inc.) provides that all contract expenses are paid on a reimbursement basis, except for fixed overhead costs that are paid automatically at the end of each month. This bill authorizes a one-time advance payment to the contractor to assist start-up of operations under the new contracts that took effect in October 2017 (tourism marketing and convention sales and services) and in February 2018 (tourism information bureau).

Policy Impact Area: Tourist Development Council operations

Fiscal Impact: None to City

Analyst: Clements

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Bill Type and Number: Ordinance 2018-536

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: August 14, 2018

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

Date of Analysis: August 16, 2018

Type of Action: Ordinance Code amendment; City Charter amendment

Bill Summary: The bill amends Ordinance Code Chapter 11 (Office of the Council Secretary), Chapter 70 (Tourist Development Council) and City Charter Article 17 (Civil Service) to revise the Tourist Development Council's appointment and supervision authority for its employees and the applicability of the civil service system to those employees. It provides that the TDC Executive Director shall be appointed by the TDC (rather than by the City Council at the TDC's recommendation) and that the TDC Executive Director may appoint a TDC Administrator and such other persons as deemed necessary to assist the work of the TDC. The bill also provides that the TDC Board shall meet at least 8 times per fiscal year; that a quorum requires 5 of the 9 members be physically present; and that all decisions and recommendations of the board required a concurring vote of a majority of the members present, but in no case less than 4 members concurring. The bill provides that "other employees selected by the [TDC] Executive Director and hired to assist the Tourist Development Council" are exempt from the applicability of the City's civil service system.

Background Information: The Code currently provides that the TDC recommends and the City Council appoints the TDC Executive Director and TDC Administrator, who are supervised by the Council Secretary. This bill provides that the appointments shall be made directly by the TDC, and adds authority to the TDC to employ "such other persons as deemed necessary" to assist the TDC in its functions, which could include part-time or temporary employees. Supervision of these employees is removed from the responsibility of the Council Secretary and will be the responsibility of the TDC, with the TDC Chair being considered the immediate supervisor for purposes of time sheet and leave request approval, etc.

Policy Impact Area: TDC operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2018-537

Introducer/Sponsor(s): Council Members Wilson, Crescimbeni, and Anderson

Date of Introduction: August 14, 2018

Committee(s) of Reference: LUZ

Date of Analysis: August 14, 2018

Type of Action: Amending the *Ordinance Code* to create a new section

Bill Summary: The bill creates a new section 656.112 (Suspension, revocation or modification of a development order), Part 1 (General Provisions), Subpart B (Administration), Chapter 656 (Zoning Code), *Ordinance Code*, to provide for suspension, revocation or modification of any development order and procedures for same.

Background Information: Currently, the Ordinance Code does not contain any language that permits the Planning and Development Director to revoke, suspend or modify any development order in non-compliance. The legislation indicates that the Director of Planning and Development shall attempt to enforce conditions of a development order before suspending, revoking or modifying. The director may act accordingly in any of the following circumstances:

- the approval of the permit was based on incorrect information furnished by the applicant for the permit;
- the permittee, or its agents, successors or assigns, has exhibited a repeated or chronic failure to comply with the permit or conditions set forth therein;
- the permittee, or its agents, successors or assigns, has continued with, or caused to be continued, any development activity on a site for which a development order was issued, while the site is under a stop work order;
- the permittee, or its agents, successors or assigns, has exhibited repeated or chronic failure to comply with other provisions of the *Ordinance Code* as to the subject property;
- the permittee, or its agents, successors or assigns, refuses lawful inspection of the subject property pursuant to a request made by the Planning and Development Department, the Municipal Code Compliance Division, or the Solid Waste Division for investigation of an alleged *Ordinance Code* violation; or
- significant changes have occurred since the approval of the development order (i.e., the use has been increased or expanded beyond the use originally contemplated in the development order or additional uses not disclosed or permitted are occurring on the property) and that continuance of the development activity or continued operation of a use as permitted would be detrimental to the public health or safety, the environment or the property of others.

Policy Impact Area: Development order

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2018-538

Introducer/Sponsor(s): Council Members Wilson, Crescimbeni, and Anderson

Date of Introduction: August 14, 2018

Committee(s) of Reference: LUZ

Date of Analysis: August 14, 2018

Type of Action: Amending the Section 656.313 (Community/General Commercial Category)

Bill Summary: The bill amends Section 656.313 (Community/General Commercial Category), Part 3 (Schedule of District Regulations), Subpart C (Commercial use categories and zoning districts), Chapter 656 (Zoning Code), *Ordinance Code*, to revise uses permitted by right and exception; and provides for severability.

Background Information: The amendment revision removes service garages for minor or major repairs, and retail sales of new or used automobiles permissible uses by an exception in CCG-1 Districts. The addition of "provided that no outside storage or display of products is allowed" was attached to pawn shops and service and repair of general appliances and small engines as permitted uses and structures.

Policy Impact Area: Community/General Commercial Category

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2018-0539

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: F

Date of Analysis: August 16, 2018

Type of Action: Extension

Bill Summary: The bill will create an extension of the tax rolls for the 2018 tax year prior to completion of the Value Adjustment Board (VAB) hearings. The Property Appraiser makes all required extensions on the rolls to show the taxes attributable to all taxable property and to reflect any changes in value made by the VAB as a result of the administrative hearings.

Background Information: On or around October 2018, the VAB will begin conducting administrative hearings on property assessment challenges and on classification and exemption denials for the 2018 tax year. Those hearings will continue beyond November 1, 2018, and into the following year. Section 197.323, Florida Statutes, provides a process by which the Property Appraiser can extend the millage against the rolls and certify the tax rolls to the Tax Collector before all VAB hearings are completed. Pursuant to section 197.323, at the Tax Collector's request, the City Council may order that the rolls be extended prior to completion of the hearings.

The Tax Collector sent a letter to the Council President requesting that the Council take such action.

Policy Impact Area: Extending the tax rolls until the completion of the VAB hearings.

Fiscal Impact: None

Analyst: Distel

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Bill Type and Number: Ordinance 2018-540

Sponsor: Council Member Boyer:

Date of Introduction: August 14, 2018

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

Date of Analysis: August 17, 2018

Type of Action: Contract Renewal; Ordinance Code Waiver

Bill Summary: The ordinance authorizes the Mayor and Corporation Secretary to execute a contract with Jacksonville University for the continuing manatee protection studies for Fiscal Year 2018-2019, with up to four annual renewals; invoking Section 126.107 (G), *Ordinance Code*, to waive competitive and bidding for said contract.

Background Information: The State of Florida mandates that counties with bodies of water that are a habitat for manatees have a Manatee Protection Plan in place and revise data on an annual basis. The City of Jacksonville has had a contract with Jacksonville University for assistance with marine sciences support since 1993. Dr. Quinton White and Dr. Gerard Pinto amass data on marine life, particularly manatees in the St. Johns River and its tributaries. Differing regulatory approaches to manatee protection and the debate over the status of the manatee indicate the continuing need for marine science support. The City Council authorized a contract with Jacksonville University through Ordinance 2013-565-E. The original contract was set to expire on September 30, 2014 but provided for four (4) and one (1) year renewals. The City Council has exercised four of the one-year renewals, first when it authorized a First Amendment through Ordinance 2014-584-E, to extend the contract to September 30, 2015, the Second Amendment through Ordinance 2015-587-E, to extend the contract to September 30, 2016, and the Third Amendment through Ordinance 2016-568-E, to extend the contract to September 30, 2017. Ordinance 2017-590-E renewed the contract to September 30, 2018. This ordinance establishes a new contract with Jacksonville University for continued manatee protection studies for Fiscal Year 2018-2019, with up to four annual renewals.

Policy Impact: Manatee Protection Plan/Jacksonville University

Fiscal Impact: The budget will propose funding in the amount of \$90,000 for the Fiscal Year 2018-2019 contract with Jacksonville University.

Analyst: Jackson

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Bill Type and Number: Ordinance 2018-0541

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

Date of Introduction: August 14, 2018

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

Date of Analysis: August 16, 2018

Type of Action: Ratification of Settlement Agreement

Bill Summary: The bill ratifies and approves the execution of a settlement agreement and release of claims with Shoppes at Lakeside, Inc., in furtherance of such remediation.

Background Information: From approximately 1874-1912, there was a private manufactured gas plant located on the corner of State Street and Main Street, which deposited its waste into nearby Hogan's Creek. Once the contamination was discovered, the FDEP required the City to conduct a remedial investigation and feasibility study. The City submitted the Site Assessment Report Addendum to FDEP in May 2011 and presented its proposed remedial alternative to FDEP in January 2014. FDEP approved several remedies for clean-up of the site. The City filed suit to cover the remediation costs from the known potentially responsible parties. The settlement does not include any payment for damages or attorney's fees, but only resolves the remediation.

Policy Impact Area: Remediation of contaminated area under the Brownfield Site Rehabilitation Agreement

Fiscal Impact: The settlement covers the remediation costs. These do not include any payment for damages or attorney's fees, but only resolves the remediation.

Analyst: Distel

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2018-0542

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

Date of Introduction: August 14, 2018

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

Date of Analysis: August 16, 2018

Type of Action: Ratification of the Brownfield Site Rehabilitation Agreement

Bill Summary: This bill adopts the Brownfield Site Rehabilitation Agreement at the site of Confederate Park, formerly a manufactured gas plant. This will facilitate the development of an affordable housing project by Southport Financial Real Estate, L.L.C. which is adjacent to a portion of Confederate Park and will authorize the Mayor and his designees to take all further actions to perform the City's obligations pursuant to the Brownfield Site Rehabilitation Agreement.

Background Information: From approximately 1874-1912, there was a private manufactured gas plant located on the corner of State Street and Main Street, which deposited its waste into nearby Hogan's Creek. Once the contamination was discovered, the FDEP required the City to conduct remedial investigation and feasibility study. The City submitted the Site Assessment Report Addendum to FDEP in May 2011 and presented its proposed remedial alternative to FDEP in January 2014. FDEP approved several remedies for clean-up of the site. City Council has approved a rezoning request relating to the property upon which Southport Financial Real Estate, LLC, intends to develop and operate affordable housing multi-unit development. The proposed remedy will facilitate the development of lower-cost downtown affordable housing and enhance the currently vacant property.

Policy Impact Area: Affordable housing.

Fiscal Impact: Under the State's brownfield program the City will recover a portion of its cleanup expenses in the form of tax credits.

Analyst: Distel

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Bill Type and Number: Ordinance 2018-543

Introducer/Sponsor(s): Introduced by the Council President at the request of the Mayor and by Council President Bowman

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 13, 2018

Type of Action: Appropriation, emergency passage and designation of oversight agency

Bill Summary: This bill is an appropriation of funds from the Federal Elections Security Grant disbursed to the Florida Department of State, Division of Elections, to be disbursed to the local supervisors of election to strengthen cybersecurity for Duval County's election system. The appropriation will provide funds to enhance election technology and to facilitate cybersecurity training for local election officials.

Emergency passage is requested because the funds from the grant must be expended by the Supervisor of Elections prior to the General Election on November 6, 2018, or the funds will revert back to the Department of State. The Duval County Supervisor of Elections Office shall oversee the use of the funds.

Background Information: The purpose of this legislation is to appropriate funds from the Federal Elections Security Grant, under the Help America Vote Act (2002), to strengthen election cybersecurity implementation and training.

Policy Impact Area: Election cybersecurity

Fiscal Impact: \$590,235.46 as initiated by B.T. 18-092, from the Federal Elections Security Grant. No City match is required.

Analyst: Hampsey

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Bill Type and Number: Ordinance 2018-544

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

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 13, 2018

Type of Action: Appropriation and designation of oversight agency

Bill Summary: This bill is an appropriation of \$2,775,000 in grant funds given to the City of Jacksonville through a donation agreement with the Embassy of the United Arab Emirates. The funds are appropriated for disaster recovery purposes, enabling the City to engage in the transformative neighborhood projects that will strengthen cultural and community leadership, reclaim blighted properties, improve the quality of life for residents, especially homeless and low-income residents, and grow community pride.

- \$425,000 to Duval County Public Schools for its Construction and Architecture Career Academy and Computer Labs at William M. Raines High School and Jean Ribault High School
- \$250,000 to Builders' Care for the Ken Knight Drive Neighborhood Home Repair and Restoration Project
- \$400,000 to Habitat for Humanity of Jacksonville, Inc. for the Ken Knight Drive Neighborhood Home Repair and Restoration Project
- \$900,000 to I.M. Sulzbacher Center for Mobile Medical Clinics; and
- \$800,000 to the City of Jacksonville for the Charles Reese Park Restoration and Public Infrastructure on Ken Knight Drive

The Office of Grants and Contract Compliance, the Parks, Recreation, and Community Services Department, the Neighborhoods Department, and the Public Works Department, shall oversee their respective projects.

Background Information: The United Arab Emirates is donating approximately \$10 million to various Florida locations impacted by Hurricane Irma. UAE Ambassador Otaiba indicated that UAE was inspired to award grant funds to the city because of the determination and resilience Jacksonville residents showed during Hurricane Irma. Any funds not used within one year after receipt of the Grant by the City shall be subject to other uses as mutually agreed between the Embassy and the City to carry out the Embassy's charitable intent. This Grant is intended by the Embassy and the City to benefit the citizens of the City, and is not intended to, nor does it, constitute a gift or benefit by the United Arab Emirates to any official of the City or of the State of Florida.

Policy Impact Area: Disaster recovery funds

Fiscal Impact: No City match required

Analyst: Hampsey

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Bill Type and Number: Resolution 2018-545

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: R

Date of Analysis: August 16, 2018

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Harriet T. Brock as a member of the Jacksonville Housing Authority, replacing Tihryn Mickens, for a first full term ending September 16, 2021.

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

Ms. Brock is Vice-President of A GLOW International Ministry and Helping Hands Ministry. She resides within Council District #10.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

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Bill Type and Number: Resolution 2018-546

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: R

Date of Analysis: August 16, 2018

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Donald H. Horner, III, as a member of the Library Board of Trustees, replacing Fitzgerald D. "Gerald" Reid as an At-Large, Group 2 representative, for a first full term ending September 30, 2021.

Background Information: The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of the library services. Section 90.101, *Ordinance Code*, as amended by Ordinance 2010-557-E, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Mr. Horner received a master's degree in business administration from Jacksonville University and is in charge of National Sales for the *Beaver Street Fisheries*. He resides within Council District #13 (At-Large, Group 2).

Policy Impact Area: Library Board of Trustees operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

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Bill Type and Number: Resolution 2018-547

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 14, 2018

Committee(s) of Reference: R

Date of Analysis: August 16, 2018

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Kimberly A. Kim as a member of the Art in Public Places Committee, replacing Rebecca Ryan-Gonzalez as a Planning District #6 representative, for a first full term ending December 31, 2020.

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; receive, review and act 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); and also encourage the selection of regional artists e.g. Florida and the Southeastern United States. Section 126.903, *Ordinance Code*, provides that the 11 members of the committee are appointed by the Mayor and confirmed by the Council, with six of the members residing within each of the planning districts.

Ms. Kim received a master's degree in criminal justice from Florida Metropolitan University and is a Strategic Account Specialist with *Johnson & Johnson Vision Care, Inc.* She resides within Council District #7.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2018-548

Sponsor: Council President at the request of the Northwest CPAC

Date of Introduction: August 14, 2018

Committee(s) of Reference: R

Date of Analysis: August 16, 2018

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Northwest District Citizens Planning Advisory Committee's (CPAC) appointment of Camilla Collins to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, replacing John A. Pittman, for a first term ending June 30, 2020.

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

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be county residents interested in public finance issues and actively involved in the community, and be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council.

Ms. Collins received master's degrees in business administration and leadership from Grand Canyon University and is an Administrative Assistant with *Florida State College at Jacksonville*. She resides within District #10 (Planning District #5).

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2018-553

Sponsor: Council Member Boyer:

Date of Introduction: August 14, 2018

Committee(s) of Reference: R

Date of Analysis: August 17, 2018

Type of Action: Expression of Support

Bill Summary: The resolution supports a request to the East Coast Greenway Alliance to consider refining the identified spine route of the East Coast Greenway to add the core City of Jacksonville to Coast Loop Trail, which would connect the East Coast Greenway to Downtown Jacksonville.

Background Information: The East Coast Greenway is considered the “urban equivalent of the Appalachian Trail;” it is a proposed 3,000-mile shared-use pathway that would connect cities and communities along the eastern seaboard from Calais, Maine to Key West, Florida, showcasing the nation’s industrial, historic and cultural diversity. The Greenway would spur the building of a network of pedestrian and bicycling greenways through Florida; the Greenway would serve bicyclists, walkers, and equestrians, the physically challenged and other non-motorized users. The Greenway would provide an off-road route separated from vehicular traffic and would encourage people of all ages to enhance their lives and lifestyles by spending more time outdoors. The City’s Parks, Recreation and Community Services Department has submitted the Core 2 Coast Loop Trail to the Florida Office of Greenways requesting the inclusion of the North Bank of the Riverwalk in Downtown Jacksonville to the route along the East Coast Greenway. The Core 2 Coast Loop Trail will connect Downtown Jacksonville to the currently designated East Coast Greenway route passing through the Talbot Islands, Fort George Island, Mayport, Atlantic Beach, Neptune Beach and Jacksonville Beach.

Policy Impact: Tourism

Fiscal Impact: Minimal

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2018-0554

Introducer/Sponsor(s): Introduced by Council Member Carter

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPHS, F

Date of Analysis: August 16, 2018

Type of Action: Amendment

Bill Summary: This bill authorizes a third amendment to the Equestrian Center Services Contract between the City and Northeast Florida Equestrian Society/ H.O.R.S.E. Therapies, Inc. (NFES), a Florida non-profit corporation, to provide for the creation of an Extraordinary Repairs and Maintenance Budget and a procedure for making emergency repairs. It also adds language regarding the responsibilities of the two parties for capital improvements and changes the requirement for NEFS to submit an annual audit to once every 5 years.

Background Information: The City and the Northeast Florida Equestrian Society/ H.O.R.S.E. Therapies, Inc., entered into a contract for the organization to manage the Equestrian Center in 2014, which was subsequently amended in 2015 and 2016. As amended by this third amendment, the agreement provides that the City shall create a budget line for extraordinary repairs and maintenance, with the City reimbursing NEFS for repairs made due to damage caused by fire, storms, burglary, vandalism, or other emergency conditions. The Capital Improvements section is amended to read that the City will be responsible for all necessary capital expenditures exceeding \$2,500. The amendment also removes the requirement that NEFS will provide the City with an annual audit and replaces it with a requirement for the presentation of a balance sheet, a profit and loss statement and a statement of cash flows and accompanied by an independent audit once every 5 years.

Policy Impact Area: Equestrian Center repairs and capital improvements

Fiscal Impact: Match funding from the City to NFES that is not-to-exceed the amount of \$1,300,000. NFES will provide \$1,300,000 in donated materials and labor.

Analyst: Distel

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2018-555

Introducer/Sponsor(s): Introduced by Council Member Boyer

Date of Introduction: August 14, 2018

Committee(s) of Reference: NCSPPHS, F

Date of Analysis: August 15, 2018

Type of Action: Ordinance Code amendment, creation of new Ordinance Code chapter, creation of CRA forms

Bill Summary: This bill amends Chapter 55, Part 1, Section 55.108 *Ordinance Code* in reference to the powers and duties of the Downtown Investment Authority (DIA). Section 55.108 is amended to reflect that the Northbank Downtown CRA Trust Fund will maintain two separate accounting records for the Downtown East CRA and the Northside West CRA.

Chapter 106, Part 2, Subpart A, Section 106.204 *Ordinance Code* is amended to distinguish a distinct process by which CRA Boards propose their budgets. With this amendment, CRA Boards will submit a proposed budget by July 1 of each fiscal year which will include line items for operating expense and debt services, a plan authorized expenditure line item. Each CRA will submit to Council a budget schedule, containing all programs and capital projects, debt service reserves, carried over planned authorized expenditure accounts, all fund transfers, encumbered funds and unencumbered funds.

The newly created Chapter 106, Part 3, Subpart D *Ordinance Code* addresses appropriations for Community Redevelopment Agency Plan Authorized Expenditures.

- CRA Board shall have the authority to expend funds from any budget line item in an Approved CRA Budget, including the Plan Authorized Expenditures Budget Line Item, without further Council approval
- Council appropriations to a CRA Board shall be held in the applicable CRA Trust Fund, which trust fund shall be an all-years fund
- Prior to expenditures, the CRA Board Administrator will complete and sign a CRA Budget Transfer Form, which shall include the amount and description of the expenditure request. If the expenditure is a Plan Capital Project, the CRA Board Administrator must also complete a CRA Capital Project Information Sheet
- A CRA Board may transfer funds between Board approved Plan Authorized Expenditures via a written board resolution in the same manner as required in Section 106.344 of this Subpart D without further Council approval
- Any CRA Board approved funds for a specific Plan Authorized Expenditure or Future Years Debt Reduction expenditures shall carryover from fiscal year to fiscal year
- Any additional revenues in excess of \$100,000 and received by each CRA Trust Fund during a fiscal year shall require further Council approval

Chapter 111, Part 6, Section 111.640 is amended to reflect the change to the Northbank Downtown CRA Trust Fund separate accounting records, one for the Downtown East CRA and one for the Northside West CRA. After all current obligations are paid, funds in the Northbank Downtown CRA Trust Fund may be used by the DIA for Projects and Programs anywhere within the Northbank Downtown community redevelopment area regardless of whether the increment was generated from the former Downtown East CRA or the former Northside West CRA.

Chapter 111, Part 6, Section 111.645 is amended in reference to the Renew Arlington CRA Trust Fund, for which funds deposited into the Trust Fund shall be placed and accounted for in a separate interest bearing account and all accrued interest shall remain in the Trust Fund.

This bill creates a new Chapter 111, Part 6, Section 111.641 *Ordinance Code* which refers to the Jacksonville International Airport CRA Trust Fund and a new Chapter 111, Part 6, Section 111.642 for the KingSoutel Crossing CRA Trust Fund. The City shall annually appropriate to these Trust Funds by January 1 of each year, commits and sets over for payment into the Fund a sum equal to the increment from the income, proceeds, revenues and funds of the City derived from, or held in connection with the CRA, and the City's undertaking and carrying out of any community redevelopment project therein. Such increment shall be determined and appropriated annually and shall be an amount equal to 95 percent of the difference between the amount of ad valorem taxes levied each year by the City on taxable real property and the amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the City upon the total of the assessed value of the taxable real property in the CRA as shown upon the most recent tax assessment roll.

Chapter 500, Section 500.108, Section 500.112 and Section 500.114 *Ordinance Code*, are amended to clarify definitions and articulate agency powers and the expenditure of trust funds. Community Redevelopment Agency powers are subject to availability of funds in each Trust Fund and, as applicable, the approval of the City Council. A new Chapter 500, Section 500.116, *Ordinance Code* is created to adopt the "CRA Budget Transfer Form" and the "CRA Capital Project Information Sheet".

Background Information: This legislation creates new chapters and amends exiting chapters of the Ordinance Code to streamline the budget and appropriation processes for CRAs for better efficiency.

Policy Impact Area: Community Redevelopment Agencies

Fiscal Impact: No direct cost to the City

Analyst: Hampsey

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2018-556

Introducer/Sponsor(s): Council President at the request of the Office of General Counsel

Date of Introduction: August 14, 2018

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

Date of Analysis: August 15, 2018

Type of Action: Ratifying and approving the execution of a settlement agreement and release of claims

Bill Summary: The bill ratifies and approves the execution of a settlement agreement and release of claims with Jacksonville Hospitality Holdings, L.P., in furtherance of such remediation regarding the contaminated private property located at 901 North Main Street and properties in and around the adjacent parcel known as Confederate Park.

Background Information: The Main Street Manufactured Gas Plant (MGP) was a privately owned company that operated at 901 North Main Street over 100 years ago. The operations of MGP resulted in the contamination of several adjacent properties, including a parcel owned by the City, now known as Confederate Park. Contamination included various hazardous substances and pollutants deposited on and into soils, sediments, surface water, and groundwater.

Currently, there is a pending lawsuit, initiated by the City, as the City of Jacksonville, Plaintiff v. Shoppes at Lakeside, Inc.; Jacksonville Hospitality Holdings, L.P.; and Continental Holdings, Inc., Defendants; Case No. 3:12-cv-850-J-25-MCR in The United States District Court for the Middle District of Florida, Jacksonville Division. The Florida Department of Environmental Protection will administer and enforce the environmental statutes and rules to address environmental contamination remediation issues, including those at the former MGP site and for Confederate Park and the impacted adjacent properties. During extensive litigation, the properties owners reached a proposed settlement, known as the Brownfield Site Rehabilitation Agreement, for the remediation of the MGP site and adjacent properties.

Policy Impact Area: Confederate Park; Environmental contamination remediation

Fiscal Impact: The response costs for remediation under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

Analyst: Mitchell