

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

Bill Type and Number: Ordinance 2011-538

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 25, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill repeals Section 111.210, Ordinance Code, which created the Choose Life Trust Fund.

**Background Information:** The bill is intended to comply with recent changes in Florida Statutes. It states that Section 320.08058, Florida Statutes, was amended by the 2011 Legislature to provide for certain annual use fees to be distributed to Choose Life, Inc., rather than Florida counties. It further states that Duval County is required to transfer all of its Choose Life license plate funds from the Choose Life Trust Fund to Choose Life, Inc., by October 1, 2011. Information on file indicates that the Recreation and Community Services Department will deposit the remaining Fiscal Year 2011 balance from Catholic Charities, Inc., into a carryover account, and the department will then close this account and issue a check request to Choose Life, Inc.

Policy Impact Area: Choose Life Trust Fund; Special Revenue and Trust Accounts

Fiscal Impact: Undetermined

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Bill Type and Number: Ordinance 2011-539

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

Date of Introduction: August 23, 2011

Committee(s) of Reference: LUZ

Date of Analysis: August 25, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Chapter 307, Ordinance Code, relative to historic preservation and protection. The terms "administrative review" and "hardscape" are defined, and the definition of "undue economic hardship" is revised to require that established findings be demonstrated by an applicant and made by the Jacksonville Historic Preservation Commission (JHPC). Provision is made for determination of the extent to which an owner or applicant caused an economic hardship. A provision is removed relative to a certificate of appropriateness in connection with replacement of windows, doors, or roof coverings where Historic District Design Regulations will result in a cost in excess of 20% of the property owner's original plans. The JHPC is required to designate (rather than prepare) a list of routine alterations, minor repairs, or other work that may receive immediate approval from the Planning and Development Department without public hearing when an applicant complies with Historic District Design Regulations, and the current list of routine alterations is stricken from the Ordinance Code. Situations where a certificate of appropriateness is not required are revised and clarified. Provision is made for appeal of any staff administrative review decision. Language concerning extensions, amendments, and minor modifications to existing certificates of appropriateness is added, and changes to an approved certificate of appropriateness may be accomplished administratively or through JHPC review depending upon how the application was originally processed and the extent of changes. A minor modification application requiring JHPC review shall have an application fee of one-half the normal fee for a certificate of appropriateness application for the same scope of work. Requests for modifications that are determined by staff to be substantial in nature or not addressed otherwise will require the filing of a new certificate of appropriateness application. Time period provisions are revised to state that the relative time periods for actions by the JHPC, Planning and Development Department staff, or other City staff are procedural and not substantive.

**Background Information:** Information on file states that this ordinance provides for an increase in the ability for staff level administrative reviews for work done in historic districts, reducing the amount of staff time necessary to accommodate the increasing volume of certificate of appropriateness applications. This is accomplished through the ability to handle an expanded list of matters on an administrative level as opposed to the process of preparing an item for presentation to the JHPC.

Policy Impact Area: Historic Preservation and Protection

Fiscal Impact: Undetermined

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Bill Type and Number: Ordinance 2011-540

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 23, 2011

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

Date of Analysis: August 26, 2011

**Type of Action**: Appropriation

**Bill Summary**: This ordinance concerns a continuation grant. The ordinance appropriates \$172,068.80 by transferring unexpended balances remaining from a Community Block Grant from Administration (\$100,000), JHA-Green Job Initiative (\$5,751.64), Community Rehab Center-Green Workplace (\$24,634.87), the Clara White Mission – Janitorial Program (\$38,493.82) and Community Connection (\$3,188.46) in order to provide funds to the JHA-Green Job Initiative for a continuing job training program (\$59,589.40), and Clara White Mission for Introduction to Highway Safety and Construction Maintenance (\$59,589.40), as initiated by B.T. 11-119; the ordinance provides for a carryover of funds from year to year until such funds are expended or lapse according to the originating state of federal program grant.

**Background**: The ordinance transfers unexpended balances from a number of Community Block Grant initiatives to other programs whose objectives are to develop green job training as related to the Community Development Block Grant Recover Act.

Policy Impact: Housing and Neighborhoods Department/Community Development

Fiscal Impact: This ordinance appropriates \$172,068.80

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Bill Type and Number: Ordinance 2011-541

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

Date of Introduction: August 23, 2011

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

Date of Analysis: August 25, 2011

Type of Action: Appropriation

**Bill Summary:** This bill appropriates \$95,500 from the Handicapped Parking Fines Trust Fund to the Military Affairs, Veterans and Disabled Services Division to provide funding for various disability-related services and events. Provision is made for the carryover of appropriated funds to fiscal year 2011-2012. The Military Affairs, Veterans and Disabled Services Division is required to file a report with the Council Auditor every six months relative to the status of the appropriated funds.

**Background Information:** The funds will provide for interpreting, printing and binding, emergency assistance, employee training, wheelchair ramps, medical equipment, the Special Olympics, Miracle League activities, the Spirit of ADA Education and Awareness Luncheon, Parking Posse quarterly training, the Mayor's Disability Council retreat, volunteer recognition, and other disability-related services and events.

Policy Impact Area: Disabled Services; Handicapped Parking Fines Trust Fund

Fiscal Impact: Undetermined; \$95,500 is appropriated by this ordinance

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Bill Type and Number: Ordinance 2011-542

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

Date of Introduction: August 23, 2011

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

Date of Analysis: August 25, 2011

Type of Action: Appropriation

**Bill Summary:** This bill appropriates \$15,000 in Environmental Protection Agency grant funding under the Environmental Justice Small Grants Program for Community Research. Provision is made for the carryover of appropriated funds into the 2011-2012 fiscal year. It is required that the Planning and Development Department provide oversight.

**Background Information:** The funds are to be used by the Eastside Environmental Council, in partnership with the City, for outreach and to provide educational workshops and community training sessions concerning the concept of community gardening in preparation for the widespread implementation of community gardens in the City's Health Zone 1. The project will also demonstrate how the presence and accessibility of community health centers can improve a community's overall health.

Policy Impact Area: Environmental Protection

Fiscal Impact: Undetermined; \$15,000 is appropriated by this ordinance

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**Bill Type and Number**: Ordinance 2011-543

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 23, 2011

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

Date of Analysis: August 26, 2011

Type of Action: Appropriation; Agreement Approval

**Bill Summary**: This ordinance appropriates a \$291,585 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) through the State of Florida Division of Emergency Management to provide funding for the acquisition and demolition of the repeatedly flooded and damaged home of Karen and Timothy Montgomery at 1580 Navaho Avenue, as part of the Repetitive Flood Claim Program, as initiated by B. T. 11-122; provides for a carryover of funds to fiscal year 2011-2012; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Federally-Funded Subgrant Agreement between the City of Jacksonville and the State of Florida Division of Emergency Management; provides for City oversight by the Jacksonville Fire & Rescue Department.

**Background**: The FEMA grant provides funding for a Property/Demolition of Structures Project under which the City will enter into an agreement with the homeowners to acquire their property, demolish structures and slabs, remove debris associated with the project, and file a perpetual open space/conservation easement on the property. FEMA will pay 100% of the project expenses. The Montgomery's property is located in Council District 12. The program will reduce claims under the National Flood Insurance Program and support the City's standing in the Community Rating System and the Local Mitigation Strategy for floodplain and mitigation management.

Policy Impact: Jacksonville Fire & Rescue Department/Emergency Preparedness

Fiscal Impact: This hill appropriates a FEMA grant in the amount of \$291,585



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**Bill Type and Number**: Ordinance 2011-544

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26. 2011

Type of Action: Appropriation; Agreement Authorization

**Bill Summary**: This ordinance appropriates \$475,083.12 (a \$393,120.12 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance Program, through the State of Florida Division of Emergency Management, and \$81,963.00 in matching funds from the homeowners sustaining repetitive flooding) to provide funding for the acquisition and demolition of repeatedly flooded and damaged properties at 6744 Bakersfield Drive and 6842 Bakersfield Drive as part of the Flood Mitigation Assistance Program, as initiated by B.T. 11-123; provides for a carryover of funds to Fiscal Year 2011-2012; approves and authorizes the Mayor and Corporation Secretary to execute and deliver a federally-funded Subgrant Agreement between the City of Jacksonville and the State of Florida Division of Emergency Management; provides for City oversight by the Jacksonville Fire and Rescue Department.

**Background**: the Flood Mitigation Assistance Program provides funds to reduce and/or eliminate the long-term risk of flood damage to repetitive loss structures. The Program will further reduce claims under the National Flood Insurance Program and support the City's standing in the Community Rating System and the Local Mitigation Strategy for floodplain and mitigation management. The properties are located in Council District 10. The property owners are Mr. & Mrs. Kirk and Poncette Russell (6744 Bakersfield) and Ms. Kimberly Player (6842 Bakersfield). The property-owners' agreement with the City enables the City to acquire their respective properties, demolish structures and slabs, and remove debris associated with the project. Mr. & Mrs. Russell will provide 25% local share funding in the amount of \$57,424.49, and Ms. Player will provide 10% local share funding in the amount of \$24,538.51.

Policy Impact: Flood Mitigation Assistance/FEMA/State of Florida Division of Emergency Management

Fiscal Impact: This ordinance appropriates \$475,083.12.



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Bill Type and Number: Ordinance 2011-545

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

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26, 2011

Type of Action: Appropriation

**Bill Summary**: This ordinance appropriates \$189,000 from the U.S. Department of Homeland Security, with no local match, to provide funding for the acquisition of identified equipment in gaps relevant to Weapons of Mass Destruction (WMD) detection and all-hazards response capabilities for the Jacksonville Sheriff's Office in antiterrorism operations, as initiated by B.T. 11-124; provides a carryover of funds to Fiscal Year 2011-2012.

**Background**: The funding allocated in this legislation funds resources for the Buffer Zone Protection Program. In an assessment of the Federal Reserve Bank in Jacksonville, JSO, in conjunction with the Federal Reserve representatives, identified vulnerabilities to the facility and surrounding infrastructures. It was determined that there is a need for mobile atmospheric monitoring capabilities for the prevention and intervention of a possible terrorist attack. Linear Radiological Monitors and Personal Radiological Detectors will provide atmospheric monitoring capabilities within the buffer zone of the facility and surrounding infrastructure. The proposed purchases are designed to enhance JSO's capability to preempt and respond to incidents at the Federal Reserve Bank.

Policy Impact: Jacksonville Sheriff's Office/Anti-Terrorist Operations

**Fiscal Impact**: This ordinance appropriates a federal grant in the amount of \$189,000, requiring no local match.

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Bill Type and Number: Ordinance 2011-546

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 26, 2011

**Type of Action**: Appropriation

**Bill Summary**: This ordinance transfers funding in the amount of \$9,575,123 from the Budget Stabilization Contingency account and various cash carryover accounts to the Salary and Benefits accounts in the individual departmental budgets to update those accounts for the final salary/benefit assumptions used to prepare the Fiscal Year 2010-2011 Budget, as initiated by B.T. 11-125

**Background**: As part of the 2010- 2011 Council approved budget, a separate budget stabilization account was established to reflect the final budgeted assumptions on salaries and benefits. This ordinance transfers funding from the Budget Stabilization Contingency and various cash carryover accounts to Salary/Benefit accounts in the individual departmental budgets to update those accounts for the final salary/benefit assumptions used fully to fund the 2010-2011 departmental budgets.

Policy Impact: Finance/Budget Office

Fiscal Impact: This ordinance appropriates \$9,574,123.00



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**Bill Type and Number**: Ordinance 2011-547

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26, 2011

Type of Action: Appropriation; Positions Approval

Bill Summary: This ordinance concerns a continuation grant. The ordinance appropriates Housing Opportunities for Persons With AIDS ("POPWA") program funds in the amount of \$2,815,995 to the Jacksonville Housing and Community Development Commission for authorizing and funding, pursuant to its 2011-2012 Universal Application Cycle, all for the City of Jacksonville to execute federal program contracts as applicable for the following: (1) \$960,247 to Catholic Charities Bureau, Inc. for mortgage and utilities assistance, (2) \$50,000 to Community Rehabilitation Center, Inc. for mortgage and utilities assistance (3) \$66,001 to Gateway Community Services, Inc. for adult detox facility, (4) \$120,000 to I.M. Sulzbacher Center for the Homeless, Inc. for shelter support activity (AIDS), (5) \$200,000 TO Lutheran Social Services of Northeast Florida, Inc. for AIDS care and education, (6) \$50,000 to Lutheran Social Services of Northeast Florida, Inc. for shared housing program, (7) \$690,573 to Northeast Florida AIDS Network, Inc. for mortgage and utilities assistance, (8) \$194,201 to Northeaster Florida AIDS Network, Inc. for permanent housing (AIDS) (9) \$414,532 to River Region Human Services, Inc. for adult living facility (AIDS), and (10) \$70,441 to the City's Housing and Neighborhoods Department for administrative costs, all as initiated by B.T. 12-001; the ordinance provides for purpose, a carryover of funds, for further Council action if revenue differs and for the Mayor and Corporation Secretary to execute and deliver documents relating to the awards; the ordinance approves positions, as initiated by R.C. 12-001.

**Background**: The City of Jacksonville is expected to receive \$2,815,995 in HOPWA funds from the U.S. Department of Housing & Urban Development on or about October 1, 2011, and these moneys require appropriation. H.U.D. awards to local governments 'HOPWA" funds, and the local government, in turn, awards those funds to recipient organizations to implement the HOPWA program. The Jacksonville Housing and Community Development Commission has been designated as the agency to provide oversight and guidance to the City's Housing & Neighborhoods Department, Housing Services Division. Through its 2011-2012 Universal Application Cycle, the Commission has awarded contracts to housing providers pending receipt of the 2011-2012 HOPWA funds from H.U.D. The ordinance approves /authorizes one (1) program manager for the City's HOPWA program for the fiscal year October 1, 2011- to September 30, 2012.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division

Fiscal Impact: The ordinance appropriates \$2,815,995



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Bill Type and Number: Ordinance 2011-548

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26, 2011

Type of Action: Appropriation; Positions Approval

**Bill Summary**: This ordinance concerns a continuation grant; the ordinance appropriates \$2,294,292 in Home Investment Partnership ("HOME") Program funds for program costs initiated by B.T. 12-002; provides for the award to the Jacksonville Housing and Community Development Commission for authorizing and funding, pursuant to its 2011-2012 Universal Application Cycle, and for the City of Jacksonville to execute federal program contracts for HOME Program funds, as applicable, for the following: (1) \$114,000 for Community Housing Development Organization operating costs (\$12,000 to Grace and Truth Community Development Corporation; \$12,000 to Metro North Community Development Corporation, Inc., \$35,000 to Northwest Jacksonville Community Development Corporation, \$35,000 to Operation New Hope, Inc., and \$20,000 to Wealth Watchers, Inc.); (2) \$344,144 to the Community Housing Development Organization's Development Subsidy Pool; (3) \$1,606,719 to the City's Housing and Neighborhoods Department's Headstart to Homeownership Program for downpayment assistance programs; and (4) \$229,429 to the City's Housing and Neighborhoods Department for administrative costs; the ordinance provides for a carryover of funds from year to year until such funds are expended or lapse according to the originating State or Federal program grant; provides for further Council action if revenue differs; provides for the Mayor and Corporation Secretary to execute and deliver documents; approves positions, as initiated by R. C. 12-002.

**Background**: The City of Jacksonville is expected to receive \$2,294,292 in HOME funds from the U.S. Department of Housing and Urban Development on or about October 1, 2011, and these moneys require appropriation. H.U.D. awards to local governments HOME Program funds; the local governments, in turn, award the HOME funds to recipient organizations to implement the HOME program. The Jacksonville Housing and Community Development Commission, designated as the agency to provide oversight to the City's Housing and Neighborhoods Department, Housing Services Division, awards contracts to housing providers based on its Universal Cycle application process. HOME program activities entail building, buying and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people.

Policy Impact: Affordable Housing/Housing and Neighborhoods Department

Fiscal Impact: This ordinance appropriates \$2,294,292.

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Bill Type and Number: Ordinance 2011-549

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

Date of Introduction: August 23, 2011

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

Date of Analysis: August 25, 2011

Type of Action: Appropriation

**Bill Summary:** This bill appropriates \$5,979,248 for award of Community Development Block Grant (CDBG) program funds pursuant to the 2011-2012 Universal Cycle. Authorization is given to enter into appropriate contracts and expend funds in accordance with awards, and provision is made for the carryover of funds. Should the actual allocation differ from the appropriated amount, the Mayor is required to submit a supplementary budget to City Council for approval in accordance with the received allocation. The Mayor, or designee, and Corporation Secretary are authorized to execute necessary documents. Because of federal requirements for recipients, the provisions of Chapter 118, Ordinance Code, shall not be applicable to the City's CDBG contracts; however, compliance with Chapter 118 will be required to the extent a particular award does not require federal compliance. Positions are authorized in connection with the grant.

**Background Information:** The United States Department of Housing and Urban Development awards CDBG program funds to local governments, which may further award the funds to recipient organizations to implement the program. The purpose of the funds is to provide activities that develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, especially for low- and moderate-income persons. The Jacksonville Housing and Community Development Commission is the designated agency to provide oversight and guidance to the Community Development and Housing Services divisions, and to make recommendations on agreements.

Policy Impact Area: Community Development Block Grants

Fiscal Impact: Undetermined; \$5,979,248 is appropriated by this ordinance



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Bill Type and Number: Ordinance 2011-550

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: August 23, 2011

Committee(s) of Reference: LUZ

Date of Analysis: August 25, 2011

Type of Action: Consideration of Waiver Application

**Bill Summary:** This bill states that the Council has considered the recommendation of the Land Use and Zoning Committee and has reviewed the Staff Report of the Planning and Development Department relative to road frontage waiver WRF-11-11. Legislative Services is directed to mail of copy of the enacted legislation to the applicant and other affected parties.

**Background Information:** An application for waiver of minimum road frontage was filed by Linda G. Reed, owner, for property located at 16906 Secondina Road (north of Pecan Park Road, between Main Street and I-95). The application requests a reduction in the minimum road frontage from 35 feet to 0 feet in an AGR (Agriculture) zoning district. It is anticipated that the legislation will be amended to reflect Council action.

Policy Impact Area: Planning and Development; Waivers of Minimum Road Frontage

Fiscal Impact: Undetermined

LEGISLATIVE SUMMAR



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

Bill Type and Number: Ordinance 2011-554

Introducer/Sponsor(s): Reapportionment Committee

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** R

Date of Analysis: August 23, 2011

Type of Action: Adoption of City Council redistricting plan

**Bill Summary:** The bill adopts the City Council redistricting plan for the 14 single member districts and 5 atlarge residence areas, and adopts the 7 new School Board districts which are comprised of pairs of City Council districts.

**Background Information:** The City Charter and Ordinance Code require that the City reapportion its council districts once every 10 years following the release of the U.S. Census data. The new districts will become effective for the next general consolidated government elections that take place 9 months or more after the date on which the redistricting plan is adopted. For the City Council the new districts will become effective for the 2015 elections. The new School Board districts may become effective for the fall 2012 election depending on the date the redistricting plan is adopted and the date of the first School Board primary election. If not effective for the 2012 election, the new School Board districts would be effective for the 2014 election.

The proposed redistricting plan was created by the Planning and Development Department at the direction of the 2010-11 Rules Committee and was finalized and submitted by the 2011 Reapportionment Committee. The plan is based on the requirements of federal law and Supreme Court precedent, and on criteria established by the Rules Committee with regard to compactness, contiguity (all parts of a district must be physically connected), equal population (maximum deviation of 10% between the largest and smallest district population), and representation of identifiable communities of interest, which include factors such as race, political affiliation, voting patterns, historical identity, school attendance patterns, economic and social conditions, etc.

Policy Impact Area: City Council redistricting

Fiscal Impact: Undetermined

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Bill Type and Number: Ordinance 2011-555

Introducer/Sponsor: Council Member Gulliford

Date of Introduction: August 23, 2011

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

Date of Analysis: August 25, 2011

Type of Action: Appropriation

**Bill Summary:** This bill appropriates \$1,000,000 from a JEA Greenland Road Power Plant Parks Contribution account to construct and install four baseball fields, batting cages, parking lots, and a new press box/concession stand/restroom building for 9A/Baymeadows Park. It is requested that the Mayor appoint the Department of Recreation and Community Services to oversee the project. Provision is made (1) for the carryover of appropriated funds into the 2011-2012 fiscal year, and (2) for reversion of funds not used for the stated purpose before September 30, 2012.

**Background Information:** The bill states that JEA entered into a Greenland Energy Center Trail Letter of Understanding on March 6, 2009, to provide bicycle/pedestrian paths in the area of the proposed gas-fired power plant east of Philips Highway and south of State Road 9A, and funds were reserved by JEA for this purpose. It has since been determined that the proposed pedestrian/bicycle path is not feasible, and an agreement modification has been approved by JEA to provide a park element in the vicinity of the Greenland Energy Center.

Policy Impact Area: JEA; Parks and Recreation

Fiscal Impact: Undetermined; \$1,000,000 is appropriated by this ordinance



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Bill Type and Number: Ordinance 2011-556

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

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26, 2011

Type of Action: Appropriation

**Bill Summary**: This ordinance concerns a continuation grant. The ordinance appropriates \$296,622 in Federal Emergency Shelter Grant (("ESG") funds to provide housing assistance and related supportive services within Duval County through Catholic Charities Bureau, Inc. and I. M. Sulzbacher Center for the Homeless, Inc., as initiated by B. T. 12-004; provides a carryover of funds; provides for purpose; provides for further Council action if revenue differs; provides for Mayor and Corporation Secretary to execute and deliver documents relating to the award.

Background: The Emergency Shelter Grants program provides homeless persons with basic shelter and essential supportive service. It can assist with the operational costs of the shelter facility, and for the administration of the grant. ESG also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure or utility shutoffs. Grantees, except for state governments, must match ESG grant funds dollar for dollar with their own locally generated amounts. Catholic Charities and Sulzbacher are required to match their grant funds.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division

Fiscal Impact: This ordinance appropriates \$296,622.00



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Bill Type and Number: Ordinance 2011-557

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

Date of Introduction: August 23, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: August 26, 2011

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; the ordinance appropriates \$44,709.95 from Housing Opportunities for People with Aids (HOPWA) 2009-2010 lapse funds to Catholic Charities Bureau, Inc. to provide short-term rental assistance to low-income persons with HIV/AIDS and their families in Duval County, as initiated by B.T. 12-005; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State or federal program grant.

**Background**: These funds are allocated to provide short-term rental assistance to low-income persons with HIV/AIDS and their families throughout Duval County.

Policy Impact: Housing and Neighborhoods Department/Housing Services

Fiscal Impact: This ordinance appropriates \$44,709.95 in a continuation grant.

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Bill Type and Number: Ordinance 2011-558

**Sponsor**: Council President at the request of the Supervisor of Elections:

Date of Introduction: August 23, 2011

Committee(s) of Reference: R; F

Date of Analysis: August 26, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$108,071.70 (\$93,975.39 in Help America Vote Act (HAVA) funds received from the State of Florida, Department of State, Division of Elections, as election reform payment and a City match of \$14,096.21 from the Reserve for Federal Projects account) to provide funding for voter education, as initiated by B.T. 12-006; provides a carryover of funds to fiscal year 2011-2012.

Background: The Help America Vote Act stems from the aftermath of voting in Florida in the Presidential election of 2000. HAVA funds are allocated for voter reform measures, particularly voter education undertakings. The funding in this particular appropriation is allocated for mailing sample ballots to voters.

Policy Impact: Voter Education/Supervisor of Elections

Fiscal Impact: This ordinance appropriates \$108,071.70



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Bill Type and Number: Ordinance 2011-559

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** RCDPHS

Date of Analysis: August 23, 2011

Type of Action: Ordinance Code amendment

**Bill Summary:** The bill repeals all but one portion of Ordinance Code Chapter 620 – Weapons and Firearms – to conform to the state pre-emption of all local ordinances regarding firearms. Section 620.109 - Use of laser pointers – is renumbered and moved to Chapter 614 – Public Order and Safety.

Background Information: The 2011 Florida Legislature enacted a law that completely pre-empts any city or county ordinance in the area of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof. This ordinance repeals all City ordinances in the area of firearms regulation in compliance with that law. The regulation of laser pointers, not pre-empted by state law, is moved to another chapter of the Code so as to remain in effect.

Policy Impact Area: Compliance with state mandate

Fiscal Impact: None

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Bill Type and Number: Ordinance 2011-560

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

Date of Introduction: August 23, 2011

Committee(s) of Reference: R; F

Date of Analysis: August 25, 2011

Type of Action: Settlement Approval

**Bill Summary:** This bill approves settlement of the City's unsecured claim amount of \$23,250,000 relative to a redevelopment agreement with Landmar Group, LLC, and its affiliates concerning the Shipyards Property. Authorization is given for the City's bankruptcy counsel to sign an agreed order and file it with the bankruptcy court, to sign other required documents, and to take other reasonable and necessary actions to effectuate the settlement.

**Background Information:** The Shipyards Property is located downtown on the river and is central to the sports complex. TriLegacy, LLC, originally proposed to develop the property under a redevelopment agreement, but a dispute later arose. That settlement agreement contemplated a redevelopment agreement with Landmar Group, LLC, and its affiliates. While some redevelopment efforts were begun pursuant to the Landmar agreement, due to the real estate market downturn, these entities have been unable to further develop the property and have filed for bankruptcy protection. The City received a deed in lieu of foreclosure, giving the City ownership of the property, but an unsecured claim of approximately \$37.38 million remained. The bill states that litigation will likely take years to conclude and may result in a limited or zero recovery for the unsecured creditors, including the City. A settlement amount of \$23,250,000 has been proposed.

Policy Impact Area: Economic Development; Office of General Counsel-Settlements

**Fiscal Impact:** Undetermined; the bill states that settlement only confirms the amount of the City's unsecured claim (\$23,250,000) and does not guarantee any payment of such claim, or any portion thereof, as any such payment is contingent upon the outcome of third party litigation



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

Bill Type and Number: Ordinance 2011-561

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Approval of fee schedule

Bill Summary: The bill establishes the annual fee schedule for services and records provided by the Medical Examiner's Office for FY11-12.

**Background Information:** The cost for an autopsy, external inspection and civil deposition and testimony hourly rates remain unchanged from FY10-11. The cost of pathologist tissue preparation increases from \$85 to \$91 per hour and the cost of body transportation from \$75 to \$85. All other fees remain unchanged.

Policy Impact Area: Medical Examiner fee schedule

Fiscal Impact: Undetermined



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Bill Type and Number: Ordinance 2011-562

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Clay County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Clay County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the threecounty judicial circuit encompassing Clay, Duval and Nassau counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined – will depend on usage.



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

Bill Type and Number: Ordinance 2011-563

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Columbia County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Columbia County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the fourcounty 3<sup>rd</sup> judicial circuit encompassing Columbia, Hamilton, Lafavette and Sewanee counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined.



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Bill Type and Number: Ordinance 2011-564

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Hamilton County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Hamilton County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the fourcounty 3<sup>rd</sup> judicial circuit encompassing Columbia, Hamilton, Lafavette and Sewanee counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined



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Bill Type and Number: Ordinance 2011-565

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Lafayette County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Lafayette County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the fourcounty 3<sup>rd</sup> judicial circuit encompassing Columbia, Hamilton, Lafavette and Sewanee counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined



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Bill Type and Number: Ordinance 2011-566

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Nassau County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Nassau County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the threecounty judicial circuit encompassing Clay, Duval and Nassau counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined – will depend on usage.



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Bill Type and Number: Ordinance 2011-567

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

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** F

Date of Analysis: August 23, 2011

Type of Action: Authorization of service reimbursement agreement

**Bill Summary:** The bill authorizes the execution of an intergovernmental agreement with Sewanee County for services provided by Jacksonville's Medical Examiner for a term of three years from October 1, 2011 through September 30, 2014. The costs are \$2,225 per case for each autopsy, \$670 for each case involving only an external examination, \$370 for each case requiring only a medical review and certification of death, and \$64 for each case referred to the Medical Examiner but for which jurisdiction is not assumed (non-medical examiner case) which includes investigation and forensic pathology review. The agreement provides that the listed fees represent the Medical Examiner's cost of providing the services at the present time and provides a mechanism by which fees will be reviewed annually and if fee increases are needed to cover the City's costs, Sewanee County will be notified of such increase at least 90 days in advance of the increase which will become effective on October 1 of each year.

Background Information: Jacksonville's Medical Examiner is the designated medical examiner for the fourcounty 3<sup>rd</sup> judicial circuit encompassing Columbia, Hamilton, Lafavette and Sewanee counties. Jacksonville is reimbursed for the costs of services provided to the other counties based on an annually-adopted fee scale (see related bill 2011-561).

Policy Impact Area: Medical Examiner service charges

Fiscal Impact: Undetermined - will depend on usage



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Bill Type and Number: Ordinance 2011-568

Introducer/Sponsor(s): Rules Committee

Date of Introduction: August 23, 2011

**Committee(s) of Reference:** R

Date of Analysis: August 23, 2011

Type of Action: Support for legislative J-bill

**Bill Summary:** The bill expresses the Council's support for proposed state legislative bill J-1 which would amend the charter of the Jacksonville Port Authority to change the date on which a JPA board member's term begins from October 1 to July 1, effective July 1, 2013.

**Background Information:** JPA board members serve 4-year terms. For purposes of making the transition to the new term effective date, the terms of the members appointed in 2009 and 2011 shall end three months early so that the new appointees can take office in July rather than October of 2013 and 2015. The change is intended to give new board members the opportunity to participate in discussions and approval of the authority budget that they will be administering once they take office.

Policy Impact Area: JPA board operations

Fiscal Impact: None

7 West Duval Street

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Bill Type and Number: Resolution 2011-570

Sponsor: Council Member Gaffney

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Reappointment

**Bill Summary:** This bill reappoints Mary S. Adams to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 7, for a second two-year term ending June 30, 2013.

**Background Information:** The Jacksonville-Duval County Council on Elder Affairs is established pursuant to Chapter 82, *Ordinance Code*, and charged to serve as an advocate, for the older persons in the city, to the governmental agencies responsible for the various plans and programs designed to help older persons; assist in the implementation of plans and programs selected by regional organizations, as they relate to the city and its citizens; and designate priorities among programs developed in the city by public, nonprofit and private providers concerning older persons.

Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members.

Mrs. Adams is an Outreach Coordinator with the Community Rehab Center and retired from the City of Jacksonville Adult Services Division as a Public Relations Specialist. She resides in the Brentwood area within Council District #7.

**Attendance:** According to records provided by the staff for the Council on Elder Affairs, Ms. Brown has attended 55% of the meetings of the council since her initial appointment in 2009.

	Meetings Attended	Meetings Held
2009	2	2
2010	5	12
2011	4	6
Total	11	20

Policy Impact Area: Jacksonville-Duval County Council on Elder Affairs operations

Fiscal Impact: Anticipated to be minimal

LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2011-571

Sponsor: Council President at the request of the Northwest District CPAC

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Appointment Confirmation

**Bill Summary:** This bill confirms the Northwest District Citizens Planning Advisory Committee's appointment of Melodee Anne Dew to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, replacing Ruth Arnold for a first full term ending June 30, 2014.

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

Ms. Dew received a bachelor's degree in sociology from Florida State University and is retired. She is active in the CPAC and resides in the Tallulah/North Shore area within Council District #8 in the Northwest CPAC District.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal



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Bill Type and Number: Resolution 2011-572

Sponsor: Council President Joost

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Appointment Confirmation

**Bill Summary:** This bill confirms the Council President's appointment of Deborah L. Gonzalez to the Duval County Election Advisory Panel, replacing Joshua Cockrell, for a first term ending April 16, 2014.

**Background Information:** The Duval County Election Advisory Panel is established pursuant to Chapter 59, *Ordinance Code*, and charged to study and make recommendations to the Supervisor of Elections to increase the quality of voter registration and education efforts; study and make recommendations to the Supervisor of Elections to enhance the voter's election-day experience, including poll worker training, polling locations, ballot styles, and fraud prevention; evaluate and recommend improvements on the election effectiveness, including number of overvotes, undervotes and spoiled ballots, voter complaints, and voter turnout; review and comment on ballot styles, instructions and absentee ballot appearance; and make an annual report to Council on progress, including an incorporation of any statistics, charts, studies, reports, or other data and materials generated.

Section 59.103, *Ordinance Code,* provides that the members of the Duval County Election Advisory Panel shall be Duval County registered voters and three of the members shall be designated by the Council President and confirmed by the City Council.

Ms. Gonzalez received an associate's degree in management from FCCJ and resides in the Mandarin area with in Council District #6.

Policy Impact Area: Duval County Election Advisory Panel operations

Fiscal Impact: Anticipated to be minimal



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Bill Type and Number: Resolution 2011-573

Sponsor: Council President Joost

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Mark A. Gelfo to the Building Codes Adjustment Board, replacing Joseph Frisco, for a first term ending September 30, 2013.

Background Information: The Building Codes Adjustment Board is established pursuant to Chapter 56, Ordinance Code, and charged to study building codes and recommend to Council needed amendments thereto as may be found necessary or desirable; hear and decide building code enforcement appeals; and authorize building code variances where authorized by law. Section 56.101, Ordinance Code, provides that the nine members of the board are appointed by the Council.

Mr. Gelfo received a bachelor's degree in architectural engineering from Penn State University and is a licensed Professional Engineer. He is a Principle and Division Director with TLC Engineering for Architecture. Mr. Gelfo resides in the Mandarin area within Council District #6.

Policy Impact Area: Building Codes Adjustment Board operations

**Fiscal Impact:** Anticipated to be minimal



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Bill Type and Number: Resolution 2011-574

Sponsor: Council President at the request of the Cultural Council of Greater Jacksonville

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Jeanne M. Miller to the Cultural Service Grant Committee, replacing Jessica Deal as a Cultural Council representative, for an unexpired term ending December 31, 2013.

Background Information: The Cultural Service Grant Committee is established pursuant to Chapter 118, Part 6, Ordinance Code, and charged to recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding. Section 118.605, Ordinance Code, provides that the membership of the committee shall include five members of the Cultural Council Board, confirmed by the City Council.

Ms. Miller received a law degree from Florida State University and is General Counsel for Florida Community College at Jacksonville. She was employed with the City of Jacksonville (2002-2006) as an Assistant General Counsel and as the Deputy Director of the JEDC. Ms. Miller has previously served on the Charter Revision Commission and the Municipal Code Enforcement Board. She resides in the Riverside area within Council District #14.

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal



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Bill Type and Number: Resolution 2011-575

Sponsor: Council President Joost

Date of Introduction: August 23, 2011

Committee(s) of Reference: R

Date of Analysis: August 24, 2011

Type of Action: Appointment; Emergency Passage

Bill Summary: This bill appoints Peter L. Lafser to the Jacksonville Health Facilities Authority, replacing Charles Mapson, for an unexpired term ending December 15, 2014. Emergency passage has been requested so that a quorum will be available as soon as possible.

Background Information: The Jacksonville Health Facilities Authority is established pursuant to Chapter 490, Ordinance Code, and charged to assist health facilities in the acquisition, construction, financing, and refinancing of projects. Section 490.106, Ordinance Code, provides that the members of the board are appointed by the Council.

Mr. Lafser is retired with over 30 years of finance and accounting experience. He resides in the Mandarin area within Council District #6.

Policy Impact Area: Jacksonville Health Facilities Authority operations

Fiscal Impact: Anticipated to be minimal