

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

**JEFFREY R. CLEMENTS**  
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**Bill Type and Number:** Ordinance 2016-463

**Introducer/Sponsor(s):** Council President at the request of Council Member R. Brown

**Date of Introduction:** July 26, 2016

**Committee(s) of Reference:**

**Date of Analysis:** August 28, 2016

**Type of Action:** Appropriation; authorization of fund carry-over; CIP amendment; designation of oversight agency

**Bill Summary:** The bill appropriates \$2,012,412.82 borrowed by the Banking Fund for the Bob Hayes/Northwest Community Center Project to the Lonnie Miller Regional Park Phase II Development and authorizes carry-over of the funds to future fiscal years. It amends the 2016-2020 Capital Improvement Program to reduce the budget of the Bob Hayes/Northwest Community Center project and increase the funding for the Lonnie Miller Regional Park Phase II Development project. The bill designates the Department of Parks, Recreation and Community Services as the City's oversight agency for the project.

**Background Information:** Lonnie Miller Park is one of the City's seven regional parks and is currently the least developed of those parks, with walking trails, picnic tables and shelters, a volleyball court and parking lot. Council Member Reggie Brown proposes to reallocate just over \$2 million of borrowed funds currently allocated to the Bob Hayes/Northwest Community Center project and \$1.12 million (pending Ordinance 2016-442) from the Special Council Contingency – Soute/Moncrief CRA account to the Lonnie Miller Park Phase II project to fund the construction of 6 tennis courts and a tennis pavilion, a multi-use field surrounded by an asphalt track, a ballfield complex and other improvements.

The 125-acre site at the intersection of Moncrief Road and Soutel Drive was once owned by a septic tank company and has been alleged to be a disposal site for ash produced by city garbage incinerators from the 1940s to 1960s. The extent of any incinerator ash dumping and any environmental impacts that may have caused are still somewhat unknown. Tests done in the 1990s and early 2000s found some contamination from unknown sources and the City entered into a consent decree with the U.S. EPA to do further investigation and develop a remediation plan for whatever contamination is found. A portion of the park has been fenced off to prevent use and topsoil was placed in the playground area to minimize contact with potential contaminants. After subsequent environmental investigations, in 2003 the Florida Department of Environmental Protection approved construction plans for a soccer complex, multi-use pavilion and retention pond at the site.

**Policy Impact Area:** Regional park improvement

**Fiscal Impact:** The bill appropriates \$2,012,412.82 originally borrowed by the Banking Fund for the Bob Hayes/Northwest Community Center Project to the Lonnie Miller Regional Park Phase II Development.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-543

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$100,000 from Jacksonville Jaguars Foundation Grant to cover the expenses for the football field renovations at the 9A/Baymeadows Regional Park, as initiated by B.T. 16-108; provides a carryover of funds to FY 2016-2017; authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver, for and on behalf of the City, a Grant Agreement with the Jacksonville Jaguars Foundation, Inc.; amends the 2016-2020 Five-Year Capital Improvement Program; and provides for City oversight by the Department of Parks, Recreation and Community Services

**Background Information:** 9A/Baymeadows Regional Park is a 52 acre site located between Baymeadows Road East and State Road 9A in southeast Jacksonville. The park opened to the public in January 2008. The grant was awarded based on the City securing a minimum of \$200,000 in matching dollars. The funds are designated for renovations to the football field. The grant period is from July 1, 2016 to August 1, 2017. The amendment to the 2016-2020 CIP allows the increase of the project "9A Baymeadows – Regional Park Amenities" by \$100,000 to complete the field upgrades without risking the loss of the grant.

**Policy Impact Area:** Department of Parks, Recreation and Community Services

**Fiscal Impact:** The appropriation of \$100,000 from grant funds; and \$200,000 in matching funds.

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2016-544

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$80,000.00 to provide funding to replace the cab and chassis of Rescue Unit 4984.20, as initiated by B.T. 16-112; it provides a carryover of funds into Fiscal Year 2017.

**Background Information:** On June 24, 2016, this rescue unit was traveling westbound on Post Street responding to an emergency. A private vehicle traveling eastbound failed to yield and turned in front of the rescue unit. Due to the impact and extensive damage to the frame and chassis of the rescue unit, Fleet Management has requested funding to replace the cab and the chassis.

**Policy Impact:** Fleet Management/Jacksonville Fire & Rescue Department

**Fiscal Impact:** The ordinance appropriates \$80,000.00.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016- 545

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Lease Authorization

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the Jacksonville Sheriff's Office, that certain office lease between the City of Jacksonville (tenant) and Crocker Partners V Freedom, LLC (landlord) for 7,211 square feet in Suite 110 on the first floor and in Suite 210 on the second floor of the 700 Building, located at 8875 Liberty Ridge Drive, Jacksonville, Florida 32256, at a base rent of \$1.00 per year for the 10 year term of the office lease, such office space to be leased for a new Zone 3 police sub-station; City oversight is to be provided by the Jacksonville Sheriff's Office.

**Background Information:** The Jacksonville Sheriff's Office maintains a police sub-station in each of six designate zones in Duval County. These sub-stations are typically leased rent-free from various companies. The existing police sub-station in Zone 3 is housed in a City owned building on land leased from the Duval County School Board located at 7100 Powers Avenue. The current facility was constructed in the mid-1990s and is approximately 2,400 square feet in size. Over the years, JSO has outgrown the existing sub-station. JSO began reaching out to various businesses in Zone 3 and was offered space to build out a substation rent free at 8875 Liberty Ridge Drive. This new facility would be in excess of 5,200 square feet, which would not only meet JSO'S current need for space, but provide for growth as well.

**Policy Impact:** Jacksonville Sheriff's Office

**Fiscal Impact:** The ordinance authorizes a lease providing for a base rent of \$1.00 per year for a ten-year term.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-546

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Approval and authorization of second amendment to a uniform lease agreement

**Bill Summary:** This bill approves and authorizes the Mayor and the Corporation Secretary to execute and deliver, for and on behalf of the City, a Second Amendment to a Uniform Lease Agreement with the Cedar Hills Consolidated, LLC, to extend the current expiration date to July 31, 2017; and provides for City oversight by the Real Estate Division of the Public Works Department.

**Background Information:** The original lease agreement was approved by Ordinance 2005-1405-E. The lease is for 5,420 square feet of office space located at 3520 Blanding Boulevard, Suite 2, in the Cedar Hills Shopping Center, in Council District 9. The Tax Collector utilizes the space for its Cedar Hills Branch Office. The amendment extends the lease agreement for one additional year from August 1, 2016 through July 31, 2017. As the tenant, the City's expense for one year is \$95,717.16 which covers rent and CTI (Common Area Charges, Taxes, and Insurance) charges.

**Policy Impact Area:** Public Works Department/Real Estate Division

**Fiscal Impact:** Rent and CTI charges for one year totaling \$97,717.16.

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2016-547

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

**Date of Introduction:** August 23, 2016s

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Conveyance of Surplus Parcel; Ordinance Code Waiver

**Bill Summary:** The ordinance declares that the tax reverted parcel of real property at 2745 Ruth Drive, Jacksonville, Florida 32207, in Council District 5 (the "subject parcel") to be surplus to the needs of the City; it authorizes conveyance of subject parcel in accordance with the provisions of Section 197.592, Florida Statutes, to the previous owner of record upon payment to the City by the previous owner of the amount of all taxes which had become delinquent at the time the subject parcel reverted to the City, together with interest and costs; it waives the provisions of Sections 122.461 through 122.468, Subpart F (Donation and Sale of Real Property for Affordable Housing Purposes), Part 4 (Real Property) of Chapter 122 (Public Property), *Ordinance Code*, to allow for the sale of the subject parcel to the previous owner in return for payment of all delinquent taxes, interest, and costs as authorized by Section 197.592, Florida Statutes.

**Background Information:** At the request of the previous owner of record of the subject parcel, Peggy J. Winkler, the Real Estate Division is requesting the necessary legislation for the City Council to waive Chapter 122, Part 4 of the Ordinance Code, to declare the subject tax reverted parcel "surplus" to the needs of the City, and authorize its disposition in accordance with Section 197.592, Florida Statutes. The subject parcel is a tax reverted residential dwelling that reverted to the City on October 21, 2013. Section 197.592, Florida Statutes, authorizes the City to convey the property to the previous owner of record upon payment to the City of the amount of all taxes which had become delinquent at the time the property reverted to the City, plus interest and costs. The current amount is \$12,473.48, which is subject to change based on the date of conveyance.

**Policy Impact:** Real Estate Division/Public Works Department

**Fiscal Impact:** \$12,473.48 in delinquent taxes owed on subject parcel; amount subject to change.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-550

**Introducer/Sponsor(s):** Land Use and Zoning Committee

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Approval of 2016B Series text amendment to the future land use and transportation element

**Bill Summary:** This bill approves the proposed revisions and modifications of the 2030 Comprehensive Plan in the 2016B Series' Text Amendment to the Future Land Use Element and the Transportation Element. The amendment directs the City to establish the schedule for mobility plan updates related tasks through local ordinance.

**Background Information:** The adoption of the text amendment to the 2030 Comprehensive Plan was approved through Ordinance 2016-252-E on May 24, 2016. The Planning and Development Department, Planning Commission, and Land Use & Zoning Committee provided appropriate public hearings and information sessions with due notice. Each entity provided recommendations to the Council in support of the transmittal based on all the written and oral comments received. The proposed amendment will be transmitted through the State's expedited review process to the appropriate State agencies for amendment review.

Under the Future Land Use Element, the amendment reflects that the Multi-modal Transportation Study will identify areas with the greatest reduction in average VMT (Vehicle Miles Traveled) during the first evaluation instead of the five year evaluation. The Transportation Element reflects that the study shall be evaluated and revised as necessary pursuant to the established local ordinance.

**Policy Impact Area:** Planning and Development Department

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2016-559

**Introducer/Sponsor(s):** Council President at the request of the Jacksonville Historic Preservation Commission

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Designation of Hemming Park as a landmark

**Bill Summary:** This bill designates Hemming Park as a Landmark Site; specifies conditions and exceptions to the Certificate of Appropriateness process; waives Sec 307.106 and 307.109, *Ordinance Code*; directs the Zoning Administrator to enter the landmark site designation on the Zoning Atlas; and directs the Chief of Legislative Services to notify the appropriate authorities of the designation to record in public records.

**Background Information:** The property of Hemming Park is enclosed by the West Duval Street to the north, West Monroe Street to the south, North Hogan Street to the west, and North Laura Street to the east, in Council District 7. The City acquired the park in January 1866. Numerous historical moments and events have taken place on this site over the years to include, but not limited to: a reception of Brigadier General Thomas W. Sherman (1862), headquarters for the Union Army (1864), construction and dedication of Confederate Monument (1898), survival of the Great Fire (1901), placement of a coquina rock (1928), and Axe Handle Saturday (1960).

The designation application (LS-16-01) was submitted at the request of the Jacksonville Historic Preservation Commission (JHPC). On July 27, 2016, JHPC held a public hearing to hear discussion. Mr. Joel McEachin provided a thorough summary of application, and stated the Planning and Development Department forwarded their recommendation of approval based on their determination that the park met a total of five out of seven criteria of the Secretary of Interior's Standards for the National Register. A letter of opposition for designation of the entire park was submitted by the Mr. Daryl Joseph, Director of Parks, Recreation and Community Services. The City does not oppose the designation of specific park features such as the monument. JHPC held an extensive debate regarding whether the application actually met the five standards (specifically "G"); determining whether to separate the monument from the park for designation; and discussing when COA's were necessary to obtain.

**JPHC - Motion/2<sup>nd</sup>** adopt PDD report and recommendations, and recommend landmark designation of Hemming Park, the Confederate monument, and the coquina marker. Routine repairs and maintenance, minor alterations, temporary new construction, events and activities does not require a COA; modification to permanently change the use of any portion of the site inconsistent with the public space, or B, restoration or any other work on the Confederate monument or coquina marker; any other modification not listed do not require a COA –

**Mansfield/Underwood**

**Motion passed 5-2** (Allmand/Hackley)

**Policy Impact Area:** Jacksonville Historic Preservation Commission; Department of Parks, Recreation and Community Services

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell



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**Bill Type and Number:** Ordinance 2016-562

**Introducer/Sponsor(s):** Council Member Hazouri

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill repeals the existing and enacts a new Ordinance Code Chapter 168 – Burglary and Robbery Alarm Systems – to increase the penalties for false alarms and to establish a policy which authorizes the Sheriff’s Office to discontinue law enforcement response to a property whose owner fails renew an alarm permit annually or to pay a civil penalty assessed for accumulation of excessive false alarms. The bill creates a requirement for annual renewal of alarm permits, at no cost if renewed within 30 days before or after the annual renewal date and creates a reinstatement fee for permits renewed more than 30 days after the renewal date. The bill provides that the Sheriff’s Office shall not respond to alarms (except panic/distress alarms) originating from addresses where the alarm system was installed, monitored, inspected or serviced by an alarm contractor who fails to maintain a valid alarm contractor registration certificate with the City. It creates an appeals process for the assessment of civil penalties and other enforcement decisions and provides an option for violators to attend an Alarm User Awareness Class one time in a 24-month period in lieu of paying an assessed fine of up to \$100.

**Background Information:** The City’s current alarm regulation ordinance was enacted in 1988 and the Sheriff’s Office believes that it is ineffective in preventing false alarms, which comprise approximately 98% of all emergency calls from alarm systems in the city. The new ordinance stiffens the penalty provisions for false alarms, as the current provisions are insufficient to compel payment of citations. Currently 6 false alarms are permitted before a \$25 citation is issued for false alarms 7-12 within a 12 month period; if a 13<sup>th</sup> false alarm occurs the registration for that alarm is revoked and it may not be used until the system is serviced and recertified with a new \$25 registration fee. The new bill would allow 2 uncharged false alarms, then impose civil penalties of \$50, \$100, \$250 and \$500 for the fourth through sixth false alarms, after which the JSO would cease responding to alarms at that address, except for panic or robbery-in-progress alarms (which would incur \$500 fines for each false alarm). The bill expresses the JSO’s support for the development of an Alarm User Awareness Class, attendance at which could excuse an alarm owner from paying a fine once every two years. It also creates an appeals process for an administrative hearing before a JSO hearing officer. The bill enacts a Government Immunity provision stating that registration of an alarm with the Sheriff’s Office does not create a contract, duty or obligation, either express or implied, on the City’s part to respond to an alarm, and stating that the City and the Sheriff’s Office are exempt from tort liability under Florida Statutes except to the extent it is waived in Sec. 768.28, *F.S.* (waiver of immunity, recovery limits, limitations on attorney fees, indemnification).

**Policy Impact Area:** False alarm reduction

**Fiscal Impact:** The bill substantially increases fines for false alarm violations.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-563

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

**Date of Introduction:** August 23, 2016

**Committee(s) of Reference:** NCIS, TEU, F

**Date of Analysis:** August 23, 2016

**Type of Action:** Approval and authorization of construction & maintenance agreements

**Bill Summary:** This bill approves and authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver, for and on behalf of the City, the Construction & Maintenance Agreement with Florida Department of Transportation (FDOT); and provides for City oversight by the Public Works Department.

**Background Information:** FDOT consented to the construction of two bike path/trail projects:

FIN# 433164-1-52-01 & 433164-2-52-01

SR A1A/Heckscher Drive from Huguenot Park to Little Talbot Island (On System)

FIN# 433164-1-52-01

SR A1A/Heckscher Drive from Huguenot Park to George River Bridge (Off System)

The On-System means improvements constructed as part of the State Highway System or National Highway System, and maintained by FDOT. Thus, the Off-System means projects constructed by local agencies that are not on the State Highway System and that are not maintained by FDOT.

Point of clarification: The City is not responsible for any financial cost associated with construction, including, but not limited to all drainage systems and landscaping amenities. Upon completion of projects, the City will assume control of operations, maintenance, and repairs.

**Policy Impact Area:** Public Works Department

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2016-564

**Sponsor:** Council Member R. Brown:

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Street Re-Naming; Ordinance Code Waivers

**Bill Summary:** This is an ordinance regarding Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code*; renaming a segment of Linda Lane from Soutel Drive to Sibbald Road to "Leander J. Shaw, Jr. Street" in Council District 10 to honor the legacy of former Supreme Court Justice Leander J. Shaw, Jr.; the ordinance waives the requirements of Section 745.105(e) (2), *Ordinance Code*, regarding persons after whom street designation may be named; it waives the requirement of Section 745.105 (e)(5), *Ordinance Code*, which requires that ninety percent of the property owners on the street agree to the renaming; it waives Section 745.105(B), which requires review by the 911 Emergency Addressing Advisory Committee and review by the Jacksonville Historic Preservation Commission; it waives the requirements of Section 745.105(G), *Ordinance Code*, regarding the requirement that all street name changes shall be for the entire length of the street; it directs Legislative Services to forward the ordinance to the Planning and Development Department.

**Background Information:** A native of Salem, Virginia, Judge Shaw earned his college degree in 1952 from West Virginia State College and subsequently served in the United States military during the Korean War. After earning a law degree at Howard University in 1957, Judge Shaw became an assistant professor of law at Florida A & M University. In 1960, Judge Shaw was admitted to the Florida Bar and embarked on a legal career at a private law firm in Jacksonville. In 1969, Judge Shaw joined the State Attorney's Office. In 1979, he was appointed as an appellate judge in the First District Court of Appeal. In 1983, Judge Shaw was elevated to Justice of the Florida Supreme Court. He served as Chief Justice from 1990 to 1992. Judge Shaw resided in the community located within five miles of Linda Lane for ten years.

**Policy Impact:** Street renaming

**Fiscal Impact:** Minimal expected cost for new signage

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-565

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** R/W Closure

**Bill Summary:** The ordinance closes, abandons, and/or disclaims a portion of the right-of-way of 2<sup>nd</sup> street, an unopened and unimproved right-of-way between Dunmire Avenue and Simmons Avenue established in Plat Book 6, page 52, Glen Oak, of the public records of Duval County, dated November 19, 1918, in Council District 10, at the request of Carlos J. McGhee (the "applicant").

**Background Information:** The closure is requested to allow the applicant to expand his commercial property. The portion of the right-of-way to be closed is unopened and unimproved and contains no infrastructure or JEA facilities. The City has no need, present or future, for the right-of-way. 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:** Real Estate Division/Public Works Department

**Fiscal Impact:** The applicant has paid a \$1,688.00 closure application processing fee.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-566

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** R/W Closure

**Bill Summary:** The ordinance closes, abandons and/or disclaims a portion of a 30-foot unopened and unimproved right-of-way established in Jacksonville Heights, Plat Book 5, page 93, of the public records of Duval County, dated October 12, 1913, in Council District 12 within the Cecil Commerce Center at the request of the City of Jacksonville's Office of Economic Development (the "applicant"), subject to reservation unto the JEA of an easement over the closed right-of-way for ingress and egress and for all utilities; it provides for City oversight by the Office of Economic Development and the Real Estate Division of the Department of Public Works.

**Background Information:** Hillwood, the City's master development partner for City-owned land at Cecil Commerce Center, is considering the purchase of an 86-acre City-owned parcel at Cecil Commerce Center as early as mid-October 2016. In an effort to accommodate Hillwood's goal of possibly acquiring the development site known as "Parcel C", in mid-October, the City will need to formally close a 30-ft unopened/unimproved r/w that exists on the proposed project site. The City owns both sides of the r/w. The closure request was reviewed by city, state and utility agencies and there were no objections to the applicant's request.

**Policy Impact:** Cecil Commerce Center/Office of Economic Development/Real Estate Division/Public Works Department.

**Fiscal Impact:** City agencies are exempt from the closure processing application fee.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-567

**Introducer/Sponsor(s):** Council Member Ferraro

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Park renaming

**Bill Summary:** The bill renames the park located at 9101 Dames Point Road from Dames Point Park to “El Faro Memorial at Dames Point Park.”

**Background Information:** The SS El Faro was a United States-flagged cargo ship operated by Tote, Inc. transporting containers from the United States to Puerto Rico. The ship and its 33 crew members were lost at sea when the ship sank after losing propulsion and being engulfed in Hurricane Joaquin off the Bahama Islands. The ship was home ported in Jacksonville at the Blount Island terminal, which is immediately adjacent to Dames Point Park and therefore a fitting site for a memorial to the crew, many of whom were Jacksonville residents.

Dames Point Park was opened in 1989 on land leased by the City from the Jacksonville Transportation Authority. The original 30-year lease for the 2.65 acre parcel expires in December 2018.

**Policy Impact Area:** Park naming

**Fiscal Impact:** Minimal costs for new signage.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-568

**Sponsor:** Council Member Bowman:

**Date of Introduction:** August 23, 2016

**Committee(s) of Reference:** NCIS; F; JWW

**Date of Analysis:** August 26, 2016

**Type of Action:** Authorization for Amended Contract Renewal

**Bill Summary:** The ordinance authorizes the Mayor and Corporation Secretary to execute a Third Amendment to the contract with Jacksonville University to renew the contract for a second additional year for the continuing manatee protection studies for Fiscal Year 2016-2017, subject to appropriation by City Council.

**Background Information:** The State of Florida mandates that counties with bodies of water that attract and are the habitat of manatees have a Manatee Protection Plan in place and to update and revise data on an annual basis. Since 1993, the City of Jacksonville has engaged Jacksonville University to provide marine science support, particularly in developing and refining the City's Manatee Protection Plan. The City Council authorized a contract with Jacksonville University's Quinton White, Ph.D., a highly-regarded expert on marine mammals, particularly manatees, through Ordinance 2013-565-E. That contract was set to expire on September 30, 2013 but provided for four (4) one (1) year renewals. The Council has exercised two of the one-year renewals. This ordinance authorizes the third extension to renew the contract for an additional one-year renewal to September 30, 2017 for the services of Dr. Quinton White and Dr. Gerard Pinto for continuing manatee protection studies. On a monthly basis, Dr. White and Dr. Pinto update the Jacksonville Waterways Commission on the status of manatees in our waterways and on the health of the St. Johns River.

**Policy Impact:** Jacksonville Waterways Commission/Manatee Protection Plan

**Fiscal Impact:** The consultant services pursuant to the agreement shall not exceed \$90,000 for Fiscal Year 2016-2017.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2016-0569

**Introducer/Sponsor(s):** Council President Boyer

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Appropriation

**Bill Summary:** This bill approves the appropriation of \$5,500,000.00 regarding a continuation grant, from the Department of Health and Human Services Ryan White HIV/AIDS Grant Funds to provide HIV-related health and support services to persons living with HIV, and reside in the Jacksonville Transitional Grant Area; provides for carryover of funds to FY 2017-2018; provides for approval of a multi-year recurring grant and authority to receive additional 15 percent grant funds; provides for an amendment to Schedule B1A of the annual budget *Ordinance* 2016-504 to reauthorize 4 FTE's and 832 PT hours; and provides for City oversight by the Department of Parks, Recreation and Community Services.

**Background Information:** This grant does not require any matching funds from the City. The funds are to be expended from March 1, 2017 to February 28, 2018. The grant funds will provide core medical and support services to persons living with HIV in the Jacksonville area. This grant allows for continuous awards that the City applies for annually and anticipates securing; and provides for an increase in the employee cap during the duration of the grant as applicable upon receiving the grant award contract. The fifteen percent appropriation from the grant funds can be adjusted by the Director of Finance without further action from the Council.

**Policy Impact Area:** Department of Parks, Recreation and Community Services; Mayor's Budget Review Committee, Finance Department

**Fiscal Impact:** The appropriation of \$5,500,000.00 in continuation grant to RCB009-17.

**Analyst:** Mitchell



# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2016-570

**Introducer/Sponsor(s):** Finance Committee

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Budget ordinance amendment

**Bill Summary:** The bill amends the FY15-16 budget ordinance to provide for a carry-over to future fiscal years of the funds generated by the Soutel/Moncrief Community Redevelopment Area tax increment district and deposited into a Special Council Contingency – Soutel/Moncrief CRA account.

**Background Information:** When the Soutel/Moncrief CRA was created in 2006 its authorizing legislation provided that any tax increment funds remaining unspent at the end of a fiscal year would be deposited into a designated Special Council Contingency – Soutel Moncrief CRA account for reallocation by the City Council. The year-end sweeps did not actually occur until 2015 when the \$1,471,106 accumulated in the CRA account since its creation in 2006 was transferred by the FY15-16 budget to the designated Special Council Contingency fund. That transfer did not include carry-over language, so when the current fiscal year ends on September 30<sup>th</sup>, any funds in that Special Council Contingency fund will be automatically swept into a General Fund reserve account and subject to reallocation to other areas of budgetary need.

Council Member Reggie Brown has several ordinances pending (2016-441, 2016-442 and 2016-463) to appropriate a total of approximately \$3.2 million from several sources, including this Soutel/Moncrief CRA designated contingency fund, to begin the engineering, design and construction of numerous facilities at the regional park, including tennis courts, a multi-purpose field and track and ballfields. This bill will add carry-over language to this Special Council Reserve fund so that the funds will not be subject to the year-end sweep and will be available in the next fiscal year for this project.

**Policy Impact Area:** Regional park development; fiscal year carry-over addition

**Fiscal Impact:** The bill will allow the \$1,471,106 accumulated in the Special Council Contingency – Soutel Moncrief CRA account to carry-over to future fiscal years.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-571

**Introducer/Sponsor(s):** Council President Boyer

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$200,000 from a Designated Special Council Contingency to provide funding for the City of Jacksonville's membership in the Jacksonville Chamber of Commerce.

**Background Information:** The annual Chamber membership fee is ordinarily budgeted in the City's annual budget ordinance in a dues and memberships line item. However, because of the conflict of interest posed by his employment with the Chamber of Commerce, Council Member Aaron Bowman would have had to abstain from voting on the budget. It was decided to put the annual membership appropriation into a separate ordinance from which Mr. Bowman can abstain from voting.

**Policy Impact Area:** Voting conflict of interest

**Fiscal Impact:** The bill appropriates \$200,000 for the annual Chamber of Commerce membership.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-572

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$800,000.00 to provide funding for the purchase of a replacement Mosquito Control helicopter, as initiated by B.T. 16-109; and provides for carryover of funds into FY 2016-2017.

**Background Information:** The current helicopter is a 1974 Hughes 300C and is in need of replacement to best meet the City's public safety needs. The recommended replacement helicopter is a MD 500 Turbine. The proposed funds include \$490,147.00 designated by Risk Management over several years for replacement costs; and \$309,853 from a non-departmental line item balance. These funds were previously identified and recently confirmed as an available option for the purchase of the replacement helicopter.

**Policy Impact Area:** Neighborhoods Department/Mosquito Control Division

**Fiscal Impact:** The appropriation of \$800,000.00, as initiated by B.T. 16-109.

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2016-573

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Appropriation; authorization to execute traffic signal maintenance agreements; designation of oversight agency

**Bill Summary:** The bill appropriates \$643,986 in reimbursement revenue from the Florida Department of Transportation (FDOT) for the City's maintenance of traffic signals on FDOT roadways. The bill authorizes execution of an amendment to the Traffic Signal Maintenance and Compensation Agreement for FY16-17, including its Attachment 1 – Revised Terms and Conditions, and designates the Public Works Department as the City's oversight agency for the agreement.

**Background Information:** The City of Jacksonville has been maintaining traffic signals on state roadways under an agreement with the FDOT since at least the early 1970s. The most recent Traffic Signal Maintenance and Compensation Agreement between the parties was approved by City Council via Ordinance 2015-367-E which provided for reimbursement from FDOT to the City of approximately \$1.9 million per year for its signal maintenance services. Due to the addition of more traffic signals and associated hardware (time travel detectors, uninterruptible power sources), an increase in the reimbursement rate for certain types of signal devices, and the establishment of a new, higher reimbursement rate for traffic signals that are connected to and monitored by the City's traffic signal monitoring system, this amendment authorizes execution of an amended agreement to reflect the new signal devices and fees and appropriates the increased reimbursement payment from the FDOT to the Public Works Department. The additional \$643,986 in reimbursement will increase the annual amount for FY15-16 to \$2,559,490. The agreement provides that the reimbursement amounts will increase annually based on the change in the Consumer Price Index.

**Policy Impact Area:** Traffic signal maintenance

**Fiscal Impact:** The bill appropriates \$643,986 in additional reimbursement revenue from FDOT to the Traffic Engineering Division.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-574

**Introducer/Sponsor(s):** Council Member Gaffney

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Finding of public purpose; authorization for public hearing

**Bill Summary:** The bill makes a finding that the proposed facility improvements to the Greater Jacksonville Agricultural Fair's facilities at 510 Fairgrounds Place near the Veterans Memorial Arena and Baseball Grounds of Jacksonville will serve a public purpose as required by Section 288.1175, *Florida Statutes*, to be eligible for state funding for agricultural education and promotion facilities. The bill also provides for a public hearing prior to adoption of the ordinance.

**Background Information:** The Greater Jacksonville Agricultural Fair Association plans to spend approximately \$900,000 to renovate the roofs and restrooms of the livestock arena and horticulture exhibit buildings. The Association plans to seek state funding through a Department of Agriculture and Consumer Services grant program that funds agriculture and promotion facilities if they are owned by a local government or by a "fair association" as defined in 616.001(11), *Florida Statutes*. Requirements to be eligible for grant consideration include: 1) projections by the applicant that the facility will attract more than 25,000 people per year; 2) a demonstration by the applicant that it is capable of providing more than 40% of the costs of the project, and 3) certification by the local government of the jurisdiction in which the facility is located that the facility serves a public purpose. Among the factors used by the state in ranking and funding the grants are the amount of attendance and economic impact the facility generates in its community, the location of the facility within a designated brownfield area, the facility's history in promoting agriculture and educating the public about agriculture, and the amount of local match being offered to the state grant. The fair attracted over 382,000 visitors to its 2014 edition, is located within a designated brownfield, and reports an annual estimate economic impact to the community of \$10 million per year.

**Policy Impact Area:** Fairgrounds improvements

**Fiscal Impact:** The Fair Association requests no City funding; approval of the resolution is necessary to qualify the Association to apply for state funding allocated for agricultural education and promotion facilities.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-575

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Extension of certification of tax rolls

**Bill Summary:** The bill extends the closing of the 2016 tax roll beyond the November 1, 2016 deadline until all VAB hearings are completed.

**Background Information:** State law requires that the tax rolls be closed by November 1 each year, after which tax bills are mailed. Because of the large volume of assessment protests in recent years, the Value Adjustment Board hearings continue well into the next calendar year. State law provides that the county governing body may extend the closing of the tax roll until all VAB hearings are completed. Tax bills will be sent out based on the most current appraisals as they stand in November. Subsequent changes due to VAB action will generate a revised 2016 tax bill to be mailed to the property owner in 2017.

**Policy Impact Area:** Tax roll closure

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-580

**Introducer/Sponsor(s):** Council Member Love

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 23, 2016

**Type of Action:** Amending *Ordinance Code*

**Bill Summary:** This bill amends (Zoning Code), Part 1 (General Provisions), Subpart C (Procedures for Rezoning and Amendments to the Zoning Code), and Part 3 (Schedule of District Regulations), Subpart O (Riverside/Avondale Zoning Overlay), *Ordinance Code* to:

- add a new criterion and require the Council to evaluate specific criteria before approving a Land Use or Zoning application in the Riverside/Avondale Overlay;
- provide the intent of designating the Character Areas;
- amend the applicability of the overlay to Planned Unit Developments;
- specify requirements for rezoning of property in all character areas;
- limit permissible uses by exception for CRO Zoning District in the Historic Residential Character Area;
- amend the Character Area Designations in Table 1.0;
- amend the parking requirements within the Commercial Character Area,
- provide requirements for conversions to non-residential uses, limit deviations, and waivers in the Historic Residential Character Area;
- amend the parking requirements within the Historic Residential Character Area;
- provide standards for restaurants in the Residential Character Area;
- replacing existing Character Area Map; and
- providing authorization for Office Of General Counsel

**Background Information:** The Riverside Avondale Zoning Overlay was enacted by City Council on June 24, 2008. The overlay was established to enhance the City's Zoning Code by adding special provisions for the Riverside Avondale Historic District to "protect the character, economic vitality, aesthetic appeal and historical integrity" of the area. These amendments clarify and increase the language regarding rezoning to a Planned Unit Development (PUD); identification of Character Areas; and the Council's requirement to only approve land use or zoning changes in the area when substantial competent evidence has been submitted.

**Policy Impact Area:** Planning and Development Department, Riverside/Avondale Preservation

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Resolution 2016-586

**Sponsor:** Council President at the request of the Urban Core CPAC

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 18, 2016

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Urban Core Citizen's Planning Advisory Committee's appointment of Niki Brunson to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Gregory K. Radlinski, for a first full term ending June 30, 2019.

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

Section 57.102, *Ordinance Code*, provides that 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. Brunson attended Jacksonville University and is an events specialist. She has previously owned a tax preparation and bookkeeping business. Ms. Brunson resides in the Springfield area within Council District #7 (Urban Core Planning District).

**Policy Impact Area:** TRUE Commission operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Merritt



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**Bill Type and Number:** Resolution 2016-587

**Sponsor:** Council President Boyer

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 18, 2016

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Amy Y. Fu, P.E. to the Environmental Protection Board, as a registered professional engineer, for a second four-year term ending September 30, 2020.

**Background Information:** The Environmental Protection Board is established pursuant to Chapter 73, *Ordinance Code*, and charged to study, promulgate and enforce appropriate rules for environmental protection; work in cooperation with the State and other agencies and groups interested in environmental quality control; investigate pollution control programs; conduct investigations and hearings on complaints; issue appropriate orders for enforcement of pollution standards; grant variances requested by pollution sources; general authority over the Groundwater and Surface Water Resource Management Program and the Hazardous Regulated Substance Program; and review and approve requests for Sustainable Building Certification Refund Grants pursuant to sec. 327.107. Section 73.101, *Ordinance Code*, provides that four of the members of the board shall be appointed by the Council in various categories including a professional engineer registered in the state.

Ms. Fu studied for a doctorate in environmental engineering from the University of Florida and is a Florida licensed Professional Engineer. She is an Environmental Department Manager with *Ellis & Associates, Inc.*, an engineering consulting firm. Ms. Fu also serves on the Keep Jacksonville Beautiful Commission and resides in Council District #11.

**Attendance:** According to records provided by the staff for the Environmental Protection Board, Ms. Fu has attended 79% of the meetings of the board since her initial appointment in 2013.

	Meetings Held	Meetings Attended
2013	1	1
2014	29	26
2015	33	25
2016	18	12
Total	81	64

**Policy Impact Area:** Environmental Protection Board operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Merritt

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**Bill Type and Number:** Resolution 2016-588

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 18, 2016

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Bobby L. Baker, P.E. as a member of the Environmental Protection Board, as a professional engineer representative, for a second four-year term ending September 30, 2019.

**Background Information:** The Environmental Protection Board is established pursuant to Chapter 73, *Ordinance Code*, and charged to study, promulgate and enforce appropriate rules for environmental protection; work in cooperation with the State and other agencies and groups interested in environmental quality control; investigate pollution control programs; conduct investigations and hearings on complaints; issue appropriate orders for enforcement of pollution standards; grant variances requested by pollution sources; general authority over the Groundwater and Surface Water Resource Management Program and the Hazardous Regulated Substance Program; and review and approve requests for Sustainable Building Certification Refund Grants pursuant to sec. 327.107. Section 73.101, *Ordinance Code*, provides that five of the members of the board shall be appointed by the Mayor and confirmed by the Council in various categories including a professional engineer registered in the state.

Mr. Baker received a bachelor's degree in civil engineering from the University of Florida and is a Florida licensed Professional Engineer. He is a Civil Engineer with *Baker-Klein Engineering* and resides in the Empire Point area within Council District #5.

**Policy Impact Area:** Environmental Protection Board operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Merritt

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**Bill Type and Number:** Ordinance 2016-589

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Appropriation; authorizing execution of grant agreement; designation of oversight agency; request for emergency approval

**Bill Summary:** The bill appropriates a \$300,000 state grant from the Department of Economic Opportunity and a \$90,000 in-kind contribution from the U.S. Navy to the Department of Military Affairs and Veterans Services to provide funding for the purchase of land use easements within the Air Installation Compatible Use Zone (AICUZ) of Outlying Field Whitehouse on the City's Westside. The bill authorizes execution of a Defense Infrastructure Grant Agreement between the City and the Florida Department of Economic Opportunity for receipt and use of the grant, designates the Department of Military Affairs and Veterans Services as the City's oversight agency for the project, and requests emergency approval on second reading.

**Background Information:** The grant funds will be used to purchase restrictive easements that will prevent the development of properties surrounding Whitehouse Field in a manner incompatible with the use of the field by the U.S. Navy for training naval aviators in aircraft carrier flight operations. In order to provide the most realistic setting for simulated carrier landings, the area surrounding the field must be kept as dark as possible to mimic the appearance of an aircraft carrier flight deck at sea. Whitehouse Field was established during World War II as a training facility for pilots flying onto and off of aircraft carriers and originally serviced the jets stationed at NAS Cecil Field. Since Cecil Field's closing the facility has continued to serve pilots from a variety of locations need to practice carrier landing proficiency, including Navy student pilots from Pensacola. The City has previously received 5 similar grants to purchase land use easements around this field. The easement acquisition program requires the Navy to pay 75% of the closing costs of the easement transaction (the purpose for the \$90,000 match) and the City to pay the other 25% (which is allocated from the \$300,000 state grant).

**Policy Impact Area:** Whitehouse Outlying Field encroachment protection

**Fiscal Impact:** The bill appropriates a \$300,000 Florida Department of Economic Opportunity grant and a \$90,000 in-kind contribution from the U.S. Navy.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2016-590

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

**Date of Introduction:** August 23, 2016

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

**Date of Analysis:** August 26, 2016

**Type of Action:** Appropriation; Authorization for Grant Agreement

**Bill Summary:** The ordinance appropriates \$127,302.50 ( a grant in the amount of \$97,925.00 from the Florida Department of Economic Opportunity and an in-kind contribution in the amount of \$29,377.50 provided as staff services performed by personnel of the Department of Military Affairs and Veterans Services) to provide funding for military base and advocacy services supplied through consultants selected by the City and related travel expenses, as initiate by B.T. 16-111; it approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Defense Reinvestment Grant Agreement between the City and the State of Florida Department of Economic Opportunity; it provides for oversight by the Department of Military Affairs and Veterans Services. One cycle emergency passage is requested.

**Background Information:** This ordinance appropriates funds from the Florida Department of Economic Opportunity. Funds will be applied to military base and mission advocacy services provided through consultants selected by the City of Jacksonville. The grant agreement is for twelve months beginning July 1, 2016 through June 30, 2017. The City has contracted with R. J. Natter as its federal lobbyist whose responsibility is to bring Department of Defense investment to Jacksonville. While four-star Admiral Natter is a resident of Ponte Vedra, he is based in Washington. The nature of the emergency is that the State of Florida will not authorize the grant award unless the Mayor executes the Grant Agreement. The Grant Agreement is retroactive to July 1, 2016 but was not received until July 29, 2016 because of the State's reorganization of duties to the Department of Economic Opportunity.

**Policy Impact:** Military and Veterans Services Department

**Fiscal Impact:** The ordinance appropriates \$127,302.50 in a State of Florida grant and \$29,377.50 in an in-kind contribution provided by the Military and Veterans Services Department).

**Analyst:** Jackson