

**CITY COUNCIL RESEARCH DIVISION**  
**LEGISLATIVE SUMMARY**



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

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, FL 32202  
FAX (904) 630-3403

**Bill Type and Number:** Ordinance 2012-523

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

**Date of Introduction:** August 24, 2012

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

**Date of Analysis:** August 26, 2012

**Type of Action:** Approval of development agreement

**Bill Summary:** The bill approves a development agreement between the City and First Coast Land Development, Inc. for development of the Duval Station Apartments on Duval Station Road in Council District 11. The bill authorizes a reservation of road trip capacity upon payment of an annual capacity reservation fee

**Background Information:** The project consists of an apartment complex of up to 30 units on Duval Station Road between Hollings Street and Crestwick Drive. The development agreement provides for the reservation of 6 p.m. peak hour trips per day on Duval Station Road for a period of 5 years until the completion of the project upon payment of the required annual reservation fee.

**Policy Impact Area:** Transportation concurrency

**Fiscal Impact:** The annual concurrency reservation fee is three times the application fee for a Concurrency Reservation Certificate based on the remaining undeveloped square footage of the project.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-524

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

**Date of Introduction:** August 24, 2012

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

**Date of Analysis:** August 26, 2012

**Type of Action:** Approving amendment to development agreement

**Bill Summary:** The bill approves a second amendment to the development agreement between the City and American Heritage Life Insurance Company to extend the development agreement for the company's office building on San Pablo Road in Council District 13 until January 6, 2018, subject to a performance schedule and the payment of an annual concurrency reservation fee for road trip capacity.

**Background Information:** The American Heritage Life Insurance project is an office tower on 22 acres of land on San Pablo Road at J. Turner Butler Boulevard. The development agreement permits 63,740 additional square feet of office space to be developed. The agreement was originally executed in 1998 and was amended in 2004 to extend the term to 2009, then extended administratively until 2013. This bill would authorize an extension of the agreement and reservation of road trip capacity for an additional 5 years to January 2018.

**Policy Impact Area:** Transportation concurrency; development rights

**Fiscal Impact:** The capacity reservation is subject to the payment of an annual fee in the amount of four times the cost of an application for a Concurrency Reservation Certificate, calculated on the remaining undeveloped square footage of the project.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-528

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

**Date of Introduction:** August 24, 2012

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

**Date of Analysis:** August 26, 2012

**Type of Action:** Acknowledging grant of a zoning administrative deviation

**Bill Summary:** The bill acknowledges the Planning Department's grant of a zoning administrative deviation requested by John L. Kelley, Jr. for a reduction in minimum lot size for the location of two single family houses on a lot zoned AGR for which a separate request for waiver of minimum road frontage is also pending.

NOTE: See companion bill 2012-527 – request for waiver of minimum road frontage for this lot.

**Background Information:** The property is located at 10620 Palmetto Avenue in Council District 11. The parcel is 2.04 acres, while the Zoning Code requires 2.5 acres for two dwellings to be located on a single lot in an AGR district. The Zoning Code (Sec. 656.138 – Concurrent Applications) provides that City Council may approve concurrent applications for a waiver of street frontage and an administrative deviation on a single property

**Policy Impact Area:** Zoning Code administrative deviation

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-529

**Sponsor:** Council Member Anderson:

**Date of Introduction:** August 28, 2012

**Committee(s) of Reference:** TEU; F; RCD

**Date of Analysis:** August 31, 2012

**Type of Action:** Development Agreement Amendment Approval

**Bill Summary:** The ordinance approves a second amendment to the Redevelopment Agreement between the City of Jacksonville, Jacksonville Economic Development Commission and Casto Southeast, Inc. and successor Christieco, Inc. to extend the date on which the City can draw on the letter of Credit to January 1, 2017.

**Background Information:** The City, JEDC and Casto Southeast, Inc. entered into a redevelopment agreement dated January 24, 2002, concerning a project that entailed a food distribution center with approximately 480,000 square feet on a 150 acre parcel on Pritchard Road, pursuant to Ordinance 2001-1161-E. Ordinance 2001-1161-E approved a redevelopment agreement with Casto Southeast, Inc. for a BJ's Wholesale Club. The City was authorized to make a Road Project Loan to the developer in the amount of \$1,324,000 for road costs. On August 20, 2002, the City, JEDC and Casto Southeast, Inc. entered into a first amendment to the redevelopment agreement. On August 1, 2007, the mortgage on approximately 30 acres within the project area, which secured the project loan provided to Casto, Southeast, Inc., was released and replaced by Christieco, Inc. with a letter of credit with the stipulation that in the event the project loan was not repaid in full by January 1, 2014, the City would be able to draw up on the letter of credit. Pursuant to the Redevelopment Agreement, the Road Project Loan is to be repaid by the annual payment of ad valorem taxes due against the project and project parcel. Given the decreased property values during the recent recession, it is anticipated that the annual payment of ad valorem taxes may not be sufficient to repay the Road Project Loan in full by its maturity date. The 2<sup>nd</sup> amendment stipulates that the City shall continue to apply and credit against the Road Loan Project the annual payment of ad valorem taxes until either the Loan is repaid in full or January 1, 2017, whichever is earlier, rather than drawing on the Letter of Credit. The project site is located in Council District 8.

**Policy Impact:** Economic Development

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-530

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

**Date of Introduction:** August 24, 2012

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

**Date of Analysis:** August 26, 2012

**Type of Action:** Revising voting precinct boundaries; request for emergency action

**Bill Summary:** The bill authorizes an alteration of the voting precinct boundary between precincts 1103 and 1108 near the intersection of Southside Boulevard and Belle Rive Boulevard and approves the enactment of the bill as an emergency in order to make the change prior to the November 2012 general election.

**Background Information:** The bill shifts the boundary between the two precincts from Belle Rive Boulevard south of the Royal Oaks Apartments to north of the apartment complex, moving the apartments from precinct 1103 to 1108.

**Policy Impact Area:** Election precinct boundaries

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-531

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

**Date of Introduction:** August 24, 2012

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

**Date of Analysis:** August 26, 2012

**Type of Action:** Extending closing of 2012 tax roll

**Bill Summary:** The bill extends the closing of the 2012 tax roll beyond the November 1, 2012 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 2012 tax bill to be mailed to the property owner in 2013.

**Policy Impact Area:** Tax roll closing

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2012-533

**Sponsor:** Council President Bishop

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 23, 2012

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Council Member Reginald L. Brown to the Northeast Florida Regional Council (NEFRC), replacing Council Member Kimberly Daniels, as a county representative, for an unexpired term ending June 30, 2013.

**Background Information:** The NEFRC is established pursuant to Chapter 186, Part 5, *Florida Statutes*, and charged to provide local governments with a means of exercising the rights, duties and powers of a regional planning agency; to provide a means for conducting the regional comprehensive planning process; to provide regional coordination; to act in an advisory capacity and to exchange, interchange, and review the various programs of regional concern; to promote communication among members and the identification and resolution of common regional-scale problems; to cooperate with federal, state, local and non-governmental agencies and citizens to insure the orderly and harmonious coordination of federal, state and local planning and development programs to assure the orderly and balanced growth and development of this region; and to encourage and promote communications between neighboring regional planning districts in an attempt to insure compatibility in development and long-range planning goals.

The bylaws of the NEFRC, authorized by Resolution 2003-750-A, provide that two of Duval County's representatives on the Regional Council shall be elected county representatives.

**Policy Impact Area:** Northeast Florida Regional Council operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-534

**Sponsor:** Council President Bishop

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 23, 2012

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the reappointment of Council Member Raymond Holt, as a member, and Council Member Doyle Carter, as an alternate member, both on the Board of Directors of the Jacksonville Zoological Society, for a term ending September 30, 2013, representing the City Council.

**Background Information:** The bylaws of the Jacksonville Zoological Society provide for City Council representatives, appointed by the Council President, on the Board of Directors.

**Policy Impact Area:** Zoological Society Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh



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**Bill Type and Number:** Ordinance 2012-537

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

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Appropriation; Positions Approval

**Bill Summary:** This ordinance concerns a continuation grant. The ordinance appropriates Housing Opportunities for Persons with AIDS ("HOPWA") Program funds in the amount of \$2,584,823 to the Jacksonville Housing and Community Development Commission for authorizing and funding, pursuant to its 2012-2013 Universal Application Cycle, all for the City of Jacksonville to execute federal program contracts as applicable for the following: (1) \$1,005,418 to Catholic Charities Bureau, Inc. for mortgage and utilities assistance, (2) \$70,024 to Gateway Community Services, Inc. for the Linking People to Housing Program, (3) \$108,148 to Lutheran Social Services of Northeast Florida, Inc. for its Shared Housing Program, (4) \$697,504 to Northeast Florida AIDS Network, Inc. for mortgage and utilities assistance, (5) \$216,822 to Northeast Florida AIDS Network, Inc. for permanent housing (AIDS), (6) \$414,631 to River Region Human Services, Inc. for housing with comprehensive support, and (7) \$72,276 to the City's Housing and Community Development Division for administrative costs, all as initiated by B.T. 13-001; provides for purpose; 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 relating to the awards; approves positions, as initiated by R. C. 13-001.

**Background Information:** HOPWA program funds provide housing assistance and related supportive services for low-income persons living with HIV/AIDS and their families within Duval County. The United States Department of Housing and Urban Development awards to local governments Housing Opportunities for Persons with AIDS ("HOPWA") funds, and the local governments, in turn, may further award the HOPWA funds to recipient organizations to implement the HOPWA program. The City of Jacksonville is expected to receive \$2,584,823 in HOPWA funds from H.U.D. on or about October 1, 2012, and these moneys require appropriation. The Jacksonville Housing and Community Development Commission, as the agency that provides oversight to the City's Housing and Community Development Commission, has engaged its 2012-2013 Universal Cycle application process and awarded contract(s) to housing providers pending receipt and appropriation of the 2012-2013 HOPWA funds from H.U.D. The Housing and Urban Development Department requires recipients to hire an independent certified accountant to audit their programs (not to be funded from the HOPWA grant funds).

**Policy Impact:** Neighborhoods Department/Housing & Community Development Division

**Fiscal Impact:** The ordinance appropriates \$2,584,823 in a grant from the U.S. Department of Housing and Urban Development.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-538

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

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Appropriation; Positions Approval

**Bill Summary:** This ordinance concerns a continuation grant. The ordinance appropriates \$2,278,025 in HOME Investment Partnership ("HOME") program funds for program costs, as initiated by B.T. 13-002; provides for the award to the Jacksonville Housing and Community Development Commission for authorizing and funding, pursuant to its 2012-2013 Universal Application Cycle, and the City of Jacksonville to execute federal program funds as applicable, for the following: (1) \$113,901 for Community Housing Development organization operating costs (\$32,500 to Grace and Truth Community Development Corporation, \$31,401 to Northwest Jacksonville Community Development Corporation, \$30,000 to Operation New Hope, Inc., and \$20,000 to Wealth Watchers, Inc.); (2) 341,704 to the Community Housing Development Organization's Development Subsidy Pool; (3) \$1,594,617 to the City Housing and Community Development Division's Headstart to Homeownership Program for downpayment assistance programs; and (4) \$227,803 to the City's Housing and Community Development Division for administrative costs; 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; provides for further Council action if revenue differs; provides for the Mayor and Corporation Secretary to execute and deliver documents relating to the awards; approving positions, as initiated by R. C. 13-002.

**Background Information:** HOME Investment Partnership Program funding provides activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people. The City of Jacksonville is expected to receive \$2,278,025 in HOME funds from the U.S. Department of Housing and Urban Development on or about October 1, 2012, and these moneys require appropriation. The Department of Housing & Urban Development 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 has engaged in its 2012-2013 Universal Cycle application process and awarded contract(s) to housing providers pending receipt and appropriation of the 2012-2013 funds from H.U.D. The Department of Housing & Urban Development requires recipients of HOME program funding to hire and independent certified public accountant to audit the program (not to be funded from HOME grant monies).

**Policy Impact:** Neighborhoods Department/Housing & Community Development Division

**Fiscal Impact:** The ordinance appropriates \$2,278,025 in a grant from the U.S. Department of Housing & Urban Development.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-539

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

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Appropriation; Positions Approval

**Bill Summary:** This ordinance concerns a continuation grant. The ordinance provides for participation in the Community Development Block Grant Program and Budget for the 2012-2013 Fiscal Year. The ordinance appropriates \$5,265,303 in CDBG program funds for program costs, as initiated by B.T. 13-003; provides for the award, authorization and funding, and for the City of Jacksonville to execute federal program contracts for CDBG program funds, as applicable, to implement B.T. 13-003; provides for purpose and a carryover of funds from year to year until such funds are expended or lapse according to the originating state or federal grant; provides for further Council action if revenue differs; provides for the Mayor and Corporation Secretary to execute and deliver documents relating to the awards; approves positions, as initiated by R. C. 13-003.

**Background Information:** The purpose of Community Development Block Grants is to provide activities that develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low and moderate income persons. The City of Jacksonville is expecting to receive \$5,265,303 in CDBG funds from the U.S. Department of H.U.D. on or about October 1, 2012, and these moneys require appropriation. The Jacksonville Housing and Community Development Commission has engaged in its 2012-2013 Universal Cycle application process and awarded contract(s) to housing providers and for community development pending receipt and appropriation of the 2012-2013 CDBG funds from H.U.D. (The recommended awards are set forth in attached Exhibit 2 on file). H.U.D. requires recipients to comply with OMB Circular A-122 "Cost Principles for Non-Profit Organizations" and hire an independent certified public accountant to audit their programs (not to be funded from CDBG grant monies).

**Policy Impact:** Neighborhoods Department/Housing and Community Development Division

**Fiscal Impact:** The ordinance appropriates \$5,265,303 in CDBG funds from U.S. Department of Housing and Development.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-540

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

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Appropriation

**Bill Summary:** This ordinance concerns a continuation grant. The ordinance appropriates \$528,788 in Federal Emergency Solutions Grant funds to provide housing assistance and related supportive services within Duval County through Catholic Charities Bureau, Inc., Jewish Family & Community Services, Northside Community Involvement, Inc. and the Salvation Army, as initiated by B.T. 13-004; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State or Federal program; provides for purpose; provides for further Council action if revenue differs; provides for the Mayor and Corporation Secretary to execute and deliver documents relating to the awards.

**Background Information:** Catholic Charities Bureau, Inc. will use its award (\$200,388.00) for Homeless Prevention; Jewish Family & Community Services (\$65,000.00) for Homeless Prevention; Northside Community Involvement, Inc. (\$100,000) for Homeless Prevention; and the Salvation Army (\$163,400.00) for Emergency Shelter Services-Operating. The U. S. Department of Housing & Urban Development requires the award recipients to comply with OMB Circular A-122 "Cost Principles for Non-Profit Organizations" and hire an independent certified public accountant to audit their programs (not to be funded from the ESG grant monies).

**Policy Impact:** Neighborhoods Department/Housing & Community Development Division

**Fiscal Impact:** The ordinance appropriates \$528,788 in grant funding from H.U.D.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-541

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

**Date of Introduction:** August 24, 2012

**Committee(s) of Reference:**

**Date of Analysis:** August 26, 2012

**Type of Action:** Designation of a contributing structure to a historic district

**Bill Summary:** The bill designates the property at 901 King Street as a contributing structure to the Riverside/Avondale designated historic district and makes the structure subject to the requirements and restrictions of the historic district regulations.

**Background Information:** When the Riverside/Avondale historic district was created in 1998 the structure was not designated as a contributing structure because it was believed that many significant architectural features had been removed from the exterior of the building and it therefore did not qualify for inclusion on the list of historically significant structures. Subsequent renovation has since uncovered many of the important original features that were merely covered over, and the building is being restored to its original historically significant condition. The Historic Preservation Commission recommends that the restored building be added to the list of designated contributing structures, thereby making any future exterior renovations or additions subject to the requirements of the historic district.

**Policy Impact Area:** Designation of historically significant structure

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-542

**Sponsor:** Council Member Love:

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Right-of-Way Closure; Ordinance Code Waiver

**Bill Summary:** The ordinance closes, abandons and/or disclaims a portion of an alley lying between King street, College Street, Acosta Street and Post Street, an opened and improved right-of-way, established by plat of New Riverside, as recorded in Plat Book 3, Page 54 of the current public records of Duval County, Florida, in Council District 14, at the request of 901 King Street, LLC ('applicant'), to enable applicant to create a parking lot of serve the business on King Street, subject to reservation of an easement over the closed portion of the alley for ingress and egress and for all utilities; accepts a special warranty deed from applicant for the realignment of that portion of the alley; waives the requirements of Section 744.104, *Ordinance Code*, regarding obtaining favorable agency replies prior to introduction of legislation.

**Background Information:** The purpose of this ordinance is to enable the applicant to re-align the alley in order to construct a parking lot behind the applicant's property located on King Street. The applicant will construct a restaurant on his property and the parking lot is a component of the project. The request for the right-of-way closure was routed to the government agencies and there has been no response from the Florida Department of Transportation. There have been no negative responses from any of the other agencies.

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

**Fiscal Impact:** Undetermined.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-544

**Sponsor:** Council Member Redman:

**Date of Introduction:** August 28, 2012

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

**Date of Analysis:** August 31, 2012

**Type of Action:** Honorary Street Designation; Ordinance Code Waiver

**Bill Summary:** The ordinance establishes an honorary street designation in front of the River Region Human Services facility located at 2981 Parental Home Road for Derya English Williams; provides for the installation of two honorary roadway markers at either end of the designated roadway in Council District 4; honors the life and legacy of Derya English Williams, and recognizes the achievements of Derya English Williams; provides for conformance with Part I (General Provisions) of Chapter 745, *Ordinance Code*, (Addressing and Street Naming Regulations); waiving the requirements of Section 745.105(e) (2), *Ordinance Code*, regarding persons who honorary street designation may be named after; directs Legislative Services to forward the ordinance to the Planning & Development Department; *requests emergency passage.*

**Background Information;** Derya English Williams joined the River Region Human Services Corporation in 1982 as a part-time Residential Therapist; her admirable work over 21 years brought her accolades and attention and ultimately, in 2003, she became CEO of the River Region Human Service, a position she held until her passing in November 2011. Derya English Williams was exceedingly active in the Jacksonville community as a member of Leadership Jacksonville, the Links, Inc., the National Council of Negro Women, the Delta Sigma Theta Sorority, Inc. and other organizations. A private donor has provided funding to cover the costs of the roadway markers. *Emergency passage is requested because the honor and recognition to the honoree is long overdue.*

**Policy Impact:** Street Naming

**Fiscal Impact:** Undetermined

**Analyst:** Jackson