

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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117 West Duval Street
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Bill Type and Number: Ordinance 2012-719

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

Date of Introduction: December 11, 2012

Committee(s) of Reference: PHS, F

Date of Analysis: December 13, 2012

Type of Action: Budget transfer appropriation

Bill Summary: The bill transfers \$50,000 from the Public Parking Office's cash carryover to fund balance account to the Clerk of the Courts contractual services budget to pay for juror shuttle service to the new courthouse.

Background Information: At a recent meeting of the Courthouse Oversight Committee, Jack Shad, Chief of Public Parking, explained that jurors are still parking at the Sports Complex in Lots E and Z and being shuttled by the JTA to the new courthouse as they were to the former courthouse on Bay Street. JTA has notified the City and the Clerk of the Courts that federal regulations prohibit the JTA from providing a service for a fee that could be otherwise provided by private sector transportation companies, and therefore the JTA will cease its shuttle operation at the end of December. This \$50,000 transfer will pay for the hiring of a private bus company to provide the shuttle service for the remainder of FY12-13, during which time a permanent solution to the juror parking issue will be explored. Mr. Shad stated that the Office of General Counsel has told him that the City is under no obligation to provide jurors with free parking, but that it has traditionally been done that way. The Clerk of the Courts wants to see safe, convenient, free parking for jurors who are providing an important civic service and receiving very little compensation for it.

Policy Impact Area: Juror parking

Fiscal Impact: The bill appropriates \$50,000 from the Public Parking Office to the Clerk of the Courts' budget

Analyst: Clements

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Bill Type and Number: Ordinance 2012-720

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

Date of Introduction: December 11, 2012

Committee(s) of Reference: LUZ

Date of Analysis: December 13, 2012

Type of Action: Historic landmark designation

Bill Summary: The bill designates the former Guaranty Bank and Trust building (a/k/a the Bostwick Building) at 101 East Bay Street as a historic landmark structure, directs the Zoning Administrator to enter the landmark status in the Zoning Atlas and directs the Chief of Legislative Services to notify the property owner and Property Appraiser of the designation and cause it to be recorded in the public record.

Background Information: The former bank building (also known informally as the Jaguar building because of the jaguar mural painted on the plywood window coverings) was constructed in 1902 as one of the first large buildings to be built downtown in the recovery from Jacksonville's great fire of 1901, and was designed by architect J.W.W. Hawkins who arrived immediately after the fire to help with the rebuilding effort. The bank building was doubled in size in 1919, and later housed professional offices. The building still has most of its original exterior detailing and is deemed by the Historic Preservation Commission to be in sufficiently good condition to be preserved and rehabilitated. The building's owner is opposed to the landmark designation and has argued that the building is too deteriorated to be economically feasible to preserve and restore.

Policy Impact Area: Historic landmark designation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2012-721

Introducer/Sponsor(s): Council President pursuant to Sec. 118.805, Ordinance Code

Date of Introduction: December 11, 2012

Committee(s) of Reference: F

Date of Analysis: December 13, 2012

Type of Action: Adoption of public service grant priority populations

Bill Summary: The bill adopts the following priority populations for funding preference in the City's Public Service Grant process for FY13-14:

1. Homeless persons and families.
2. Low-income persons and families.
3. Adults with physical, mental and behavioral disabilities.

Background Information: The priority populations were recommended by the Public Service Grant Council and, per the Ordinance Code, must be adopted by the City Council by February 15, 2013 to be used for the solicitation of public service grant applicants for funding in the FY13-14 budget process. The PSG Council recommends a funding allocation of 45% of available PSG funds to agencies serving homeless persons and families, 35% to serve low income persons and families, and 20% to serve adults with physical, mental and behavioral disabilities.

Policy Impact Area: Public service grant funding

Fiscal Impact: The amount of public service grant funding will be determined during the FY13-14 budget process.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-722

Sponsor: Council President Bishop:

Date of Introduction: December 11, 2012

Committee(s) of Reference: R; F

Date of Analysis: December 14, 2012

Type of Action: Appropriation; Emergency Passage Request

Bill Summary: The ordinance appropriates \$60,000 from Card Room Pari-Mutuel Revenues to the Special Council Operating Contingency; emergency passage is requested.

Background Information: The purpose of the appropriation is to appropriate \$60,000 to the Special Council Contingency. Emergency passage is requested to immediately account for the Card Room Pari-Mutuel Revenues in the Special Council Contingency for future deliberate use. Ordinance 2012-627-E had appropriated \$60,000 to enhance the City's ability to lobby the state legislature. The City had received the first payment of \$60,000 in revenues from the operation of the Best Bet Poker Room in Regency Square. In an opinion from the General Counsel, lobbying is the purview of the Executive Branch.

Policy Impact: Special Council Contingency Account

Fiscal Impact: The ordinance appropriates \$60,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-723

Sponsor: Council President at the request of the Mayor:

Date of Introduction: December 11, 2012

Committee(s) of Reference: F; TEU

Date of Analysis: December 14, 2012

Type of Action: Appropriation; Authorization for Agreement

Bill Summary: The ordinance appropriates a \$555,030.00 grant from the Federal Emergency Management Agency (FEMA) through the State of Florida Division of Emergency Management to provide 100% of the funding for the acquisition and demolition of repetitively flooded homes at 6847 Bakersfield Drive and 6817 Bakersfield Drive as part of a Repetitive Flood Claim Mitigation Project, as initiated by B.T. 13-015; provides for a carryover of funds to Fiscal Year 2013-2014; 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 Information: Mitigation grant programs provide funding to reduce or eliminate the long-term risk of flood damage to repetitive loss structures. The grant further reduces claims under the National Flood Insurance Program and improves Jacksonville's standing in the Community Rating System and the Local Mitigation Strategy for floodplain & mitigation management. The properties are located in Council District 10.

Policy Impact: Jacksonville Fire & Rescue Department/Emergency Preparedness

Fiscal Impact: The bill appropriates a \$555,030.00 grant from FEMA. FEMA is paying 100% of the project expenses.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-728

Sponsor: Council Member Schellenberg:

Date of Introduction: December 11, 2012

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

Date of Analysis: December 14, 2012

Type of Action: License Agreement Authorization; Ordinance Code Waiver

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute a License Agreement between the City of Jacksonville and the Mandarin Museum & Historical Society, Inc. to operate the existing Webb Farmhouse, Museum Building located at 11964 Mandarin Road; the ordinance waives Section 126.202 (Competitive Seal Bid) of Part 2 (Supplies, Contractual Services and Capital Improvements) of Chapter 126, *Ordinance Code*.

Background Information: The City of Jacksonville owns the Walter Jones Historical Park, of which the Webb Farm House is a component. The purpose of the License Agreement, that this ordinance authorizes and approves, is to allow the Licensee (Mandarin Museum & Historical Society, Inc.) to operate the existing Webb Farmhouse, Museum and Barn located at 11964 Mandarin Road. The License Agreement is the continuation of an existing arrangement. Mandarin Museum & Historical Society will use the premises for educational purposes. The term of the License Agreement is for ten years, from 2013 to 2023. The site is located in Council District 6.

Policy Impact: License Agreement/Education

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-730

Introducer/Sponsor(s): Council Members Yarborough, Love, Holt, Redman, Carter, Lee, Lumb and Joost

Date of Introduction: December 11, 2012

Committee(s) of Reference: R, F

Date of Analysis: December 13, 2012

Type of Action: Appropriation; designation of oversight department

Bill Summary: The bill appropriates \$8 million from the Supervisor of Elections' operating budget (\$990,903), an existing SOE Banking Fund authorization for Gateway elections center capital improvements (\$2,247,000) and new Banking Fund borrowing (\$4,762,097) to fund the construction of a new, unified elections facility on West Union Street downtown to replace the two existing Supervisor of Elections (SOE) facilities. The bill designates the Public Works Department as the oversight agency for the project.

Background Information: The SOE currently occupies two buildings – the administrative headquarters in approximately 10,000 square feet on East Monroe Street and the operations center in approximately 50,000 square feet at the Gateway Mall on Norwood Avenue. The proposed unified replacement site is the City-owned Sax property on West State Street at Davis Street, the site of a City-incentivized restaurant project that was constructed but never opened. The Supervisor of Elections has expressed dissatisfaction with the physical condition of the current operations center in the Gateway Mall, and the building has been in financial difficulty and was under threat of foreclosure by the mortgage holder. The Supervisor has described his preferred specifications for a new building, which include 65,000 square feet of space on one level, 2 loading docks (for moving voting equipment and tabulating machinery into and out of the warehouse space), 150 parking spaces, and location on a JTA bus line for public accessibility. Mayor Brown has proposed relocating the Property Appraiser's office out of the Yates Building and moving the Supervisor of Elections to that space.

Policy Impact Area: Supervisor of Elections operations

Fiscal Impact: The bill would appropriate \$990,903 from the Supervisor of Elections' current operating budget and authorize \$4,762,097 of new Banking Fund borrowing to supplement \$2,247,000 of existing Banking Fund borrowing authorization.

Analyst: Clements

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Bill Type and Number: Resolution 2012-731

Introducer/Sponsor(s): Council Member Carter

Date of Introduction: December 11, 2012

Committee(s) of Reference: R, LUZ

Date of Analysis: December 13, 2012

Type of Action: Petition to Governor and Florida Legislature

Bill Summary: The bill petitions the Governor and Florida Legislature to amend Sec. 553.38 of the Florida Statutes – Manufactured Buildings/Application and Scope – to permit local governments to restrict the use of manufactured homes to a permissible use by exception.

Background Information: The Florida Statutes require that manufactured homes must be treated equivalently to site-built homes for purposes of building and zoning regulations and requirements, with no distinction drawn between the two types for regulatory purposes. The sponsor proposes that the state law be amended to permit localities to have the authority to require that manufactured homes be subject to a zoning exception requirement in some zoning districts as a means of ensuring the appropriateness and compatibility of such structures in predominantly site-built neighborhoods.

Policy Impact Area: Home rule in building regulation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2012-732

Sponsor: Council Member Redman:

Date of Introduction: December 11, 2012

Committee(s) of Reference: R; RCD

Date of Analysis: December 14, 2012

Type of Action: Recommendation to Mayor

Bill Summary: This resolution urges the Mayor to immediately remove tables and chairs from Hemming Plaza as recommended by the Hemming Plaza Subcommittee.

Background Information: In December 2011, the Council President appointed an Ad Hoc Committee to address concerns that had been raised regarding patterns of behavior in Hemming Plaza. Local merchants in particular were concerned that vulgar language and unruly behavior of many of the transients who were at the tables playing cards throughout the day discouraged other visitors from coming to the park. The Ad Hoc Committee, consisting of Council Members Lee, Redman and Gulliford assembled downtown merchants, service organizations, downtown residents and numerous citizens for meetings that addressed concerns and made recommendations on how Hemming Plaza could be made more hospitable to visitors. Removing the chairs and tables was one of many suggestions that were often considered.

Policy Impact: Hemming Plaza/Downtown Jacksonville

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2012-734

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 11, 2012

Committee(s) of Reference: R

Date of Analysis: December 6, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Joey Greive, CFA, CFP as the City Treasurer within the Finance Department.

Background Information: Section 24.202, *Ordinance Code*, provides that the Treasurer shall have a bachelor's degree or higher from an accredited college or university in finance, accounting, business management or a related subject and shall have substantial experience in the area of public or private financial management.

Mr. Greive received bachelor's degrees in both finance and real estate from Florida State University. He has been employed with the City, as the Chief Investment Officer, since 2010. Prior to his employment with the City, Mr. Greive was a Financial/Investment Advisor with *Merrill Lynch, Pierce, Fenner & Smith, Inc.* He resides in Duval County.

Policy Impact Area: Finance Department / Treasury Division operations

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

Analyst: Welsh

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Bill Type and Number: Resolution 2012-735

Sponsor: Council President Bishop

Date of Introduction: December 11, 2012

Committee(s) of Reference: R

Date of Analysis: December 6, 2012

Type of Action: Appointment

Bill Summary: This bill appoints Lois M. Salaun to the Public Service Grant Council, replacing Arnold Tritt, for an unexpired term ending December 31, 2013, followed by a first full three-year term ending December 31, 2016.

Background Information: The Public Service Grant Council is established pursuant to Chapter 118, *Ordinance Code*, and charged with the review and evaluation of all Public Service Grant applications and responsibility for making funding recommendations to the Mayor and City Council for Public Service Grants. Section 118.803, *Ordinance Code*, provides that three of the seven members of the council are appointed the City Council.

Ms. Salaun received a bachelor's degree in finance/accounting from the University of North Florida and is retired. She is an active community volunteer, participating with the *Pilot Club*, *Koi Organisation International, Inc.* and the *Republican Women's Club Duval Federated*. Ms. Salaun resides in Duval County within Council District #8.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2012-736

Sponsor: Council President Bishop

Date of Introduction: December 11, 2012

Committee(s) of Reference: R

Date of Analysis: December 6, 2012

Type of Action: Reappointment

Bill Summary: This bill reappoints Gary L. Anderson to the Jacksonville Waterways Commission, as a general public representative, for a second three-year term to end December 31, 2015.

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

Section 95.103(c), *Ordinance Code*, provides that nine of the members of the Jacksonville Waterways Commission shall be members of the general public appointed by the City Council.

Mr. Anderson received a bachelor's degree in geology from Gustavus Adolphus College and is a Virginia and North Carolina licensed Professional Geologist. Mr. Anderson is a Coastal Environmental Consultant and resides in the Fort Caroline Shores area within Council District #1.

Attendance: According to information provided by the staff for the Jacksonville Waterways Commission, Mr. Anderson has attended 96% of the meetings of the commission since his initial appointment in 2010.

| | Meetings Attended | Meetings Held |
|-------|----------------------|------------------|
| 2010 | 5 | 5 |
| 2011 | 10 | 11 |
| 2012 | 11 | 11 |
| Total | 26 | 27 |

Policy Impact Area: Jacksonville Waterways Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2012-737

Introducer/Sponsor(s): Finance Committee

Date of Introduction: December 11, 2012

Committee(s) of Reference: F

Date of Analysis: December 13, 2012

Type of Action: Contract extension

Bill Summary: The bill extends the City's contract with the McGladrey, LLP accounting firm to continue acting as the City's external auditor for 2 additional years through fiscal year 2013-14.

Background Information: McGladrey has been the City's external auditor for the last 3 fiscal years, and the company's expiring contract provided an option for two 1-year renewals. In negotiations with the Council Auditor for an extension, McGladrey offered to keep its annual fee of \$306,301 unchanged from the current rate if the City offered a 2-year extension. The Finance Audit Subcommittee recommended the 2-year extension at the current annual rate.

Policy Impact Area: Independent auditor selection

Fiscal Impact: The audit fee will remain at \$306,301 annually for 2 additional years.

Analyst: Clements