

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2017-837

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 12, 2017

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

Date of Analysis: December 15, 2017

Type of Action: Approval of Manatee Protection Plan

Bill Summary: The ordinance approves and adopts the Fourth Edition of the Duval County Manatee Protection Plan as required by the Florida Fish and Wildlife Conservation Commission; providing for oversight by the Planning and Development Department.

Background Information: The proposed Manatee Protection Plan, 4th Edition, includes a modification to allow an additional 175 boat slips to the Consolidated Downtown Development of Regional Impact (DRI) area. The current MPP, 3rd Edition, allows a total of 789 boat slips in the Consolidated Downtown DRI area. The addition of 175 boat slips would allow a total of 964 boat slips in the DRI area. Because of the change in the number of boat slips, the adopted date and edition of the MPP must also be updated.

Policy Impact: Manatees/Planning and Development Department

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-838

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: LUZ, NCSPHS, JWW

Date of Analysis: December 14, 2017

Type of Action: Adoption of 2015B series text amendment to the conservation/coastal management element

Bill Summary: This bill adopts the 2015B Series Text Amendment to the Conservation/Coastal Management Element (CCME) of the 2030 Comprehensive Plan to revise the objectives and policies regarding the Manatee Protection Plan (MPP).

Background Information: The amendment incorporates definitions, objectives and associated policies within the CCME to address coastal resource management consistent with Section 163.3161 through 163.3248, *Florida Statutes*. The modification includes adding language regarding the adoption of updated MPP by City Council; clarifying the implementation process of the provisions and requirements in the MPP; replacing appropriate terms to align with the amendment; and deleting specific language about potential shellfish harvesting and considerations for development and use of the Boat Facility Siting Strategy.

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 amendment based on all the written and oral comments received.

Policy Impact Area: Conservation/Coastal Management Element, Manatee Protection Plan, Planning and Development Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-842

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: December 12, 2017

Committee(s) of Reference: TEU, LUZ

Date of Analysis: December 14, 2017

Type of Action: Amending the *Ordinance Code*

Bill Summary: This bill:

1. creates a new Chapter 381 (Textile Recycling Collection by City through Franchise Agreement);
2. amends Section 656.153 (Certificate of Use Review) and Section 656.160 (Posting of Certificate of Use), Subpart A (Basic Provisions), Part 1 (General Provisions), Chapter 656;
3. amends Section 656.313 (Community/General Commercial Category), Subpart C (Commercial Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code);
4. amends Section 656.321 (Business Park Category), Subpart D (Industrial Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code);
5. amends Section 656.332 (Public Buildings and Facilities Category), Subpart E (Miscellaneous Categories and Zoning Districts), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code);
6. creates a new Section 656.421 (Textile Recycling Bins), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code);
7. amends Section 656.1601 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code);
8. provides findings and determinations as to the purpose of the *Ordinance*;
9. provides process and procedure to initially regulate textile recycling bins;
10. provides for interpretation;
11. provides authorization for development of forms and other materials to implement the *Ordinance*;
12. provides for severability and savings clause; and
13. recites authority for adoption and enactment.

Background Information: The collection of textiles is not a regular household pickup. Textile items have been the source of blighted properties, nuisance issues, unnecessary tree loss or damage, and sanitary issues. It is in the best interest of the residents and citizens of Jacksonville to regulate the collection of textile recycling. The bill enacts provisions for placement and size of textile recycling bins to ensure it is not impeding on traffic flow, residential use, public right-of-way, utility equipment, or abandoned property. The textile collection regulations allow citizens to participate in recycling materials properly and avoid the deterioration of the water stream. This bill will not prohibit textile recycling collections taken directly from an inside location at a home, business or institution, by way of a pick-up based upon a special request or prohibit or limit any textile recycling collection activity that occurs indoors, and that is either a permissible use within a given zoning district, or that is otherwise authorized by law.

Policy Impact Area: *Ordinance Code*, Textile Recycling

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017- 843

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: TEU, F

Date of Analysis: December 14, 2017

Type of Action: Appropriation, agreement authorization, designation of oversight agency

Bill Summary: This bill is an appropriation of funds from the Tax Collector's FY 16-17 Fund balance for the build-out costs and rent for expansion of the Duval County Tax Collector- Neptune Beach branch. This legislation also authorizes a first amendment to the lease agreement between the City and Tradewinds Plaza, LLC. Oversight will be provided by the Real Estate Department.

Background Information: The Duval County Tax Collector collects and distributes approximately \$2 billion annually in taxes and fees and has nine branch locations throughout the county, averaging 1.7 million transactions per year. The Neptune Beach branch of the Duval County Tax Collector's office is currently 3,500 square feet with inadequate driver's license testing space and insufficient public restroom facilities, but an additional 1,000 sq. of space adjacent to this office has recently become vacant.

The purpose of the appropriation is to provide funding for build-out costs and rent for the remainder of fiscal year 2017-2018 for the expansion, which includes two additional teller stations equipped to serve customers with disabilities, a second ADA accessible public restroom and a driver's license exam room. The lease amendment will include the additional 1,000 square feet at the same rate and terms as the current lease. The current landlord will perform the build-out. The lease was recently renegotiated and was discounted \$4/sf/year and authorized by ordinance 2016-699-E.

Policy Impact Area: Duval County Tax Collector- Neptune Beach branch expansion

Fiscal Impact: \$174,806.67 as initiated by BT 18-024 from the Tax Collector's FY16-17 Fund balance

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-844

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS; F

Date of Analysis: December 15, 2017

Type of Action: Appropriation

Bill Summary: The ordinance appropriates a U.S. Department of Justice grant in the amount of \$997,956.00 for the Body-Worn Camera (BWC) Policy and Implementation Program: Implementation of BWC Programs for Extra-Large Agencies, as initiated by B.T. 17-009.

Background Information: The purpose of this ordinance is to appropriate grant funds for the Body-Worn Camera (BWC) Policy and Implementation Program: Implementation of BWC Program for Extra-Large Agencies. The grant period is from October 1, 2017, through September 30, 2019. The funds will be used for travel expenses and the purchase of body-worn camera systems and related equipment.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates a U.S. Department of Justice grant in the amount of \$997,956.00, with no City match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2017- 0845

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 14, 2017

Type of Action: Appropriation, agreement authorization, designation of oversight agency

Bill Summary: This bill is an appropriation of funds from the State of Florida, Division of Cultural Affairs. This Cultural Facilities Grant funding is nonrecurring and requests for additional recurring funds are prohibited. The Parks, Recreation and Community Services Department will provide oversight.

Background Information: The City of Jacksonville's application for a \$500,000 State of Florida, Division of Cultural Affairs James P. Small Park improvements was funded. The purpose of the appropriation is to provide funding for lighting, weight room, and museum improvements at James P. Small Park. Improvements to the Negro League Museum that will more appropriately tell the story of the museum and African American community and protect artifacts associated with the culture and history of the ball park. A new fitness center will help condition the athletes of Edward Waters College and Stanton College Preparatory baseball teams and also be a great community asset. Field lighting will create safe, standard lighting associated with high school and college games. The park infrastructure and upgrades must be completed by June 30th of 2018.

Policy Impact Area: James P. Small Park improvements

Fiscal Impact: \$500,000 as initiated by BT 18-026 from the State of Florida, Division of Cultural Affairs grant

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-846

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 8, 2017

Type of Action: Appropriation

Bill Summary: This bill appropriates \$53,274.74 from the Court Costs \$65 Fee F.S. 939.185 – Professional Services Account to the Court Costs \$65 Fee F.S.D. 939.185 – Personnel Costs Account, as initiated by B.T. 18-028; and authorizes the Teen Court Secretary position, as initiated by R.C. 18-051.

Background Information: Teen Court is a diversion program designated for first-time, misdemeanor offenders between the ages of 10-17. It gives these youth a second chance, yet holds them accountable for their actions. The program directs cases away from juvenile court and provides a forum for defendants (who have admitted guilt) to explain their involvement in the offense. It has been determined that an additional position is necessary to assist the violations hearing officer with caseload.

Policy Impact Area: Teen Court

Fiscal Impact: The appropriation of \$53,274.74 as initiated by B.T. 18-028.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-847

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 14, 2017

Type of Action: Appropriation; approval of legal settlement

Bill Summary: The bill appropriates \$80,000 from the Sheriff's Office salary account and \$5,000 from the General Counsel's Office's Judgements, Claims and Settlements – Under \$50,000 account to the OGC's Judgements, Claims and Settlements – Over \$50,000 account for the purpose of funding an \$85,000 litigation settlement agreement for the case of *Martin Chapman v. City of Jacksonville*. The bill approves the settlement agreement and authorizes the General Counsel's Office to take the actions necessary to conclude the litigation.

NOTE: The bill title and text reference appropriation of funds from General Fund/General Services District fund balance, however the attached BT specifies the JSO and OGC accounts listed above as the fund sources. Amendment will be needed in committee to rectify the discrepancy.

Background Information: Martin Chapman was employed by the City for just over 24 years from 1988 to 2012 as a police officer. In 2017 Mr. Chapman filed suit against the City alleging age discrimination and disability discrimination under the Americans with Disabilities act and seeking substantial damages and certification of the case as a class action. The parties engaged in mediation and arrived at settlement agreement in the amount of \$85,000. This bill approves the settlement to avoid potentially lengthy and expensive litigation and the potential of higher liability in a jury trial. Settlements exceeding \$50,000 are required by Ordinance Code to be approved by the City Council.

Policy Impact Area: Legal settlement

Fiscal Impact: The bill appropriates \$85,000 (\$80,000 from the JSO salary account and \$5,000 from the OGC's Judgements, Claims and Settlements account) to pay the settlement amount.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-848

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 14, 2017

Type of Action: Appropriation; authorization of grant contract; designation of oversight agency

Bill Summary: The bill appropriates \$687,000 from the Tourist Development Council's Contingency Account as a one-time allocation to the Jacksonville Zoo and Gardens for the purpose of general and event advertising and promotion efforts to publicize the new African Forest Exhibit. The bill authorizes execution of a grant agreement with the zoo for use of the funding and designates the Tourist Development Council as the City's oversight agency for the grant.

Background Information: The City's new Tourist Development Plan adopted in 2016 (Ordinance 2016-599-E) created a Contingency Account "...to be used for unforeseen opportunities of major significance to tourism in the City. Any activities and projects funded from the Contingency Account shall be approved by the City Council." The plan provides that the Contingency Fund shall receive \$500,000 per year from the proceeds of the tourist development tax.

The Jacksonville Zoo and Gardens is in the midst of construction on a major new exhibit – African Forest – that will occupy the space where the great apes exhibit was previously located. The exhibit is anticipated to open in the late summer of 2018 and will add a new attraction to the Zoo, which is already the most attended tourist attraction in Northeast Florida and a major draw for out-of-town tourism. The Zoo had hoped to receive funding from the TDC to help pay the capital costs of the new construction, but a quirk in Florida law makes zoos in counties with a population over 750,000 ineligible to receive TDC funding for capital projects. The Zoo therefore requests an allocation of funds from the Contingency Account to help pay for marketing expenses and a grand opening event for the new African Forest. The amount requested represents the Zoo's whole general and event advertising/promotion budget for FY17-18 (less the amount of strictly local advertising).

Policy Impact Area: Tourism promotion

Fiscal Impact: The bill appropriates \$687,000 from the Tourist Development Council's Contingency Account as a one-time allocation to the Jacksonville Zoo and Gardens to promote its new exhibit.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-849

Introducer/Sponsor(s): Council Member Gaffney

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 14, 2017

Type of Action: Authorizing assignment, assumption, modification and subordination of loan agreements; designation of oversight agency; request for 1-reading emergency approval upon introduction

Bill Summary: The bill authorizes the administration to execute documents and take other actions as may be necessary to subordinate the City's interests in two loans (one made with state funds, one with federal funds) made to Community Connections of Jacksonville, Inc. on the former YWCA property at 325 East Duval Street downtown to another lienholder. Aside from the subordination, the major terms of the loans (length, repayment terms) remain unchanged. The subordinations are expressly conditioned on 1) the full execution by the time of the sale closing of assignment, assumption and modification documents on the loans by the City, Community Connections and Cathedral District-Jax, the organization attempting to purchase the property; and 2) execution and recording of a 10-year land use restriction on the property requiring the property use to be consistent with the Florida Housing Finance Corporation's low-income set-aside requirements for the Project Development and the Downtown Investment Authority's BID Plan. The Neighborhoods Department is designated as the City's Oversight agency. Emergency passage on one reading at introduction is requested.

Background Information: Cathedral District Jax, a non-profit organization interested in promoting the revitalization of the 33-block Cathedral District in downtown Jacksonville, intends to begin with the conversion of the former YWCA building into largely market rate apartments, with some units reserved for low-income tenants. There are currently 4 liens pending on the property – 2 by the City and 1 by the State relating to affordable housing loans, and 1 by a private bank. Cathedral District Jax has a purchase agreement on the property and has arranged a loan from the Episcopal Church Building Fund, a national foundation providing loans to Episcopal churches and ministries for church and community development purposes, to finance the purchase transaction. The loan agreement expires on December 31st, which accounts for the emergency request. The private lender loan on a separate building on the parcel is also in foreclosure and a sale by the bank of that portion of the parcel to another buyer would effectively scuttle this project because of the effect on parking access on the site.

Policy Impact Area: Downtown revitalization

Fiscal Impact: None from loan subordination. Both loans being subordinated (balances of approximately \$235,200 and \$134,279) are sinking loans, reducing each year with no repayment requirement and extinguished in 2025. All loans are currently in default due to Community Connections' insolvency. If the sale to Cathedral District Jax takes place the property will be returned to the tax rolls and begin producing property tax revenue.

Analyst: Clements

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Bill Type and Number: Ordinance 2017- 850

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: F

Date of Analysis: December 14, 2017

Type of Action: Budget amendment

Bill Summary: This bill amends Ordinance 2017-504-E, Schedule W, the Tourist Development Council (TDC) budget for fiscal year 2017-2018.

Background Information: At its regular quarterly meeting on November 16, 2017, the Tourist Development Council amended the marketing and convention sales budget line items of the TDC budget for fiscal year 2017-2018 to be consistent with several Tourist Development Council-approved procurement contract amounts. Schedule W, as approved by Ordinance 2017-504-E, will be amended in the FY 2017-2018 budget for the Tourist Development Council by substituting the Revised Schedule W.

Policy Impact Area: Tourist Development Council budget

Fiscal Impact: None

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-851

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS; F

Date of Analysis: December 15, 2017

Type of Action: Inventory List Approval; Surplus Parcel Declaration; Authorization for Conveyance of Parcel

Bill Summary: The ordinance approves and adopts the 2018 Affordable Housing Inventory List (the "List"); it approves and authorizes exceptions to Section 122.463 (a), *Ordinance Code*, for , and removal from the list of certain properties; it declares that certain parcel of real property located at 535 Basswood Street, R.E. Number 087963-0000, in Council District 7 (the "subject parcel"), to be surplus to the needs of the City; it authorizes conveyance of the subject parcel to 2nd Mile Ministries, Inc. at no cost and authorizes the Mayor and Corporation Secretary to execute any and all documents necessary for such conveyance in accordance with the provisions of Subpart B (Real Property Dispositions), Part 4 (Real Property) Chapter 122 (Public Property), *Ordinance Code*.

Background Information: The Real Estate Division of the Neighborhoods Department requests an exception from Section 122.463 (a), *Ordinance Code*, to enable the removal of 535 Basswood Street from the list and seeks authorization to declare this property surplus and donate it directly to 2nd Mile Ministries, Inc., a non-profit corporation. The property was previously owned by Metro North CDC, which developed a community garden on the property while under its ownership. Metro North returned the property to the City in 2016 to be brought back into compliance with City agreements, and now 2nd Mile Ministries is managing the community garden and has applied for a Neighborhood Matching Grant to expand the community garden. The Real Estate Division feels that it is appropriate for 2nd Mile Ministries to own the parcel in order to continue and expand its thriving community garden and provide educational programs to children and healthy food to the neighborhood residents.

Policy Impact: Neighborhoods Department/Real Estate Division

Fiscal Impact: The ordinance conveys a surplus parcel to a non-profit corporation at no cost.

Analyst: Jackson

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Bill Type and Number: Resolution 2017-855

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 12, 2017

Committee(s) of Reference: R

Date of Analysis: December 7, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Clayton B. Levins, to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, filling the seat formerly held by Alex Marrero, for a first term ending June 30, 2020.

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

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Mayor and confirmed by the Council.

Mr. Levins received a bachelor's degree in communications from Jacksonville University and is the Manager of Government Affairs with *JAX Chamber*. He serves on a number of community organizations including Renaissance Jax, Generation WOW, and the Jessie Ball DuPont Fund Downtown Action Committee. He resides in the Briarwood area within Council District #5.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Shoup

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Bill Type and Number: Resolution 2017-856

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 12, 2017

Committee(s) of Reference: R

Date of Analysis: December 8, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Christian M. Whitfield, as a member of the Jacksonville Human Rights Commission, replacing John M. Phillips, for a first full term ending December 31, 2020.

Background Information: The Jacksonville Human Rights Commission is established pursuant to Chapter 60, *Ordinance Code*, and charged to promote and encourage fair treatment and equal opportunity for all persons regardless of race, color, religion, sex, national origin, age, disability, marital or familial status; and promote mutual understanding and respect among all economic, social, racial, religious and ethnic groups; and endeavor to eliminate discrimination against, and antagonism between, religious, racial and ethnic groups and their members. Section 60.101, *Ordinance Code*, provides that the 11 members of the commission shall be appointed by the Mayor, subject to confirmation by the Council, and shall reside or be employed in the City for their entire term.

Mr. Whitfield is a Background Investigator at *Keypoint Government Solutions* and previously served in the U.S. Navy. He resides in the Jamestown area within Council District #2.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Shoup

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Bill Type and Number: Resolution 2017-857

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 12, 2017

Committee(s) of Reference: R

Date of Analysis: December 8, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Tonya E. Seigler as a member of the Planning Commission, replacing R. Abel Harding as the Planning District #1 representative, for a term ending September 30, 2020.

Background Information: The Planning Commission is established pursuant to Chapter 30, Part 2, *Ordinance Code*, and charged to review proposed land use changes, text changes to the Comprehensive Plan, requests for exceptions, variances and waivers to the Zoning Code, appeals from written orders granting or denying an administrative deviation and written interpretations of the Zoning Code and final orders of the Cell Tower Review Committee and other matters related to land use and area planning which are referred to the Department or to the Commission pursuant to law; review and make recommendations to the Council on proposed changes to the Zoning Code, the Code of Subdivision Regulations and other land development regulations or amendments thereto, and with respect to all rezonings; review and make recommendations on plans and programs developed by the Planning Department; and serve as the local planning agency per 163.3174, F.S. and prepare the comprehensive plan.

Section 30.201(a), *Ordinance Code*, provides that the nine members of the Planning Commission shall be residents appointed by the Mayor and confirmed by the Council, including one member residing in each City Planning District.

Ms. Seigler received a bachelor's degree in communications from the University of Maryland at College Park and is the CEO of *Klas Global, LLC*. She previously served on the Mayor's Commission on the Status of Women, the Community Rehabilitation Center Board, and the Northeast Florida Career Source Community Advisory Board. Ms. Seigler resides in the Springfield area within City Council District #7 (Planning District #1).

Policy Impact Area: Planning Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Shoup

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Bill Type and Number: Resolution 2017-858

Sponsor: Council President Brosche

Date of Introduction: December 12, 2017

Committee(s) of Reference: R

Date of Analysis: December 8, 2017

Type of Action: Reappointment

Bill Summary: This bill reappoints Henry Luke as a member of the Duval County Research and Development Authority for a seventh four-year term ending October 17, 2021.

Background Information: The Duval County Research and Development Authority is established pursuant to Chapter 67, *Ordinance Code*, and charged to oversee "First Coast Technology Park", a 285-acre commerce center at the University of North Florida; for the purpose of promoting scientific research and development in affiliation with and related to the research and development activities of one or more state-based, accredited, public or private institutions of higher education; for the purpose of financing and refinancing capital projects related to establishment of a research and development park in affiliation with one or more institutions of higher education, including facilities that complement or encourage the complete operation thereof; and for the fostering of the economic development and broadening the economic base of the county. Section 159.703, *Florida Statutes*, provides that the members of the board shall be residents and electors of, or have their principal place of employment in, the county.

Mr. Luke received a master's degree from the University of Tennessee. He retired as President of *Luke Planning, Inc* in 2012. Mr. Luke was originally appointed to the board in August of 1994 and has served continuously since then. He resides in the Secret Cove area of Council District #4.

Attendance: According to the staff for the Duval County Research and Development Authority, Mr. Luke has attended 100% (2 of 2) of the board meetings during his current term.

Policy Impact Area: Duval County Research and Development Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

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Bill Type and Number: Resolution 2017-859

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

Date of Introduction: December 12, 2017

Committee(s) of Reference:

Date of Analysis: December 14, 2017

Type of Action: Approval of bond issuance

Bill Summary: The bill authorizes the use of up to \$9.5 million of revenue bonds issued by the Capital Trust Agency, Inc. of Gulf Breeze, FL within the City of Jacksonville to finance the purchase of land and construction and equipping of a charter school in the Mayport area by Seaside School Consortium, Inc., doing business as Seaside Community Charter School. The bill declares that the revenue bonds are not a liability of the City and the City does not endorse or recommend the borrower or the creditworthiness of the project.

Background Information: Capital Trust Agency, Inc. is a not-for-profit corporation that issues tax-advantaged revenue bonds to assist in the financing of capital improvements for governments (such as public buildings, recreational facilities, social service facilities and public safety facilities) and for private entities (schools, child care facilities, medical facilities and the like) as permitted by state law and pursuant to Internal Revenue Service tax regulations. Seaside School Consortium, Inc. is a Florida not-for-profit corporation that has existed since 2015 when The Seaside Playgarden, Inc. changed its corporate name to Seaside School Consortium. The Seaside Playgarden was formerly Seaside Community Schools, Inc. (name changed in 2013). The company intends to purchase 7.84 acres of vacant land at the corner of Mayport Road and Pioneer Drive between the City of Atlantic Beach and Naval Station Mayport to construct a charter school to accommodate 600 students using the proceeds of the revenue bonds issued by Capital Trust Agency. The City of Jacksonville's consent is required for the use of the proceeds of tax advantaged bond issued by another entity within its jurisdiction.

Policy Impact Area: Charter school development

Fiscal Impact: None to the City; the City has no financial obligation or liability for the project or the bonds.

Analyst: Clements

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2017- 860

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

Date of Introduction: December 12, 2017

Committee(s) of Reference:

Date of Analysis: December 14, 2017

Type of Action: Agreement approval and authorization; designation of oversight agency

Bill Summary: This bill approves and authorizes the first amendment to the right of way franchise agreement between the City and Buckeye Terminals LLC. The Planning and Development Department, Development Services Division will provide oversight.

Background Information: Through Ordinance 2017-517-E, the City authorized a 20 year franchise agreement with Buckeye Terminals for the use of 1.6 miles of the City's right of way on Eastport Road for the installation and use of a 6 inch ethanol transmission pipeline and the associated fee schedule. This legislation amends the franchise agreement to allow for the installation of an additional 6 inch butane transmission line during the same construction period.

The fee calculation will be \$4.37 per linear foot for each pipeline (\$72,682 payments for both in 2017) with a 3 percent increase over the 20 year life of the agreement. In 2037, the final payment will be \$131,272 for both pipelines.

NOTE: The fee calculations in the bill text do not match the fee calculation table, requiring an amendment in committee.

Policy Impact Area: Butane transmission pipeline on Eastport Road

Fiscal Impact: No direct cost to the City

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-861

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: December 12, 2017

Committee(s) of Reference: NCSPHS, F

Date of Analysis: December 13, 2017

Type of Action: Amending Ordinance

Bill Summary: This bill amends Ordinance 2015-340-E to revise the policy for the expenditure of funds deposited in the foreclosed property registry; provides for retroactive applicability; provides for directive to Legislative Services, and requests emergency passage upon introduction.

Background Information: Ordinance 2015-340-E was adopted by the Council to regulate the operations of the Mortgage Foreclosure Registration. Amendments included, but not limited to, amending several definitions along with the addition of new definitions of terms; requiring inspections on foreclosed properties every 30 days by the mortgagee or mortgagee's representative; requiring a separate foreclosure registration for each property, whether vacant or occupied; increasing registration fees and renewals; and permitting the revenue collected from registrations and renewals to be deposited in Subfund 1N1 for appropriation by the Council for use. The bill rectified problem areas and weaknesses in the current ordinance. In addition, it provided a mechanism for tracking foreclosed properties to ensure that they are properly maintained by the mortgage holder and do not become a blight on the community.

This bill provides for funds to be used for gap funding to non-profit developers for new construction projects. This includes the acquisition, rehabilitation and sale of vacant and/or REO homes in blighted areas that total development expenses exceed the appraised value. The emergency passage is necessary due to appropriate funds in Ordinance 2017-764 according to the new policy.

Policy Impact Area: Foreclosed property operations

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017- 862

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: LUZ

Date of Analysis: December 13, 2017

Type of Action: *Ordinance Code* amendment

Bill Summary: This bill amends Section 656.399.7 (Subpart M, Part 3) of Chapter 656, *Ordinance Code* to insert a new subsection.

Background Information: The section of Chapter 656 *Ordinance Code* to be amended addresses the San Marco Overlay zoning regulations. The new subsection 5 defines building restrictions for residential lots with frontage on three streets. For those lots, the owner may request a setback reduction totaling no more than 15 feet combined if the primary front yard may not be reduced to less than a 25 foot setback and the second front yard may not be reduced to less than 15 foot setback. The setback reduction may be approved by the Director of Planning and Development without the need for administrative deviation.

Policy Impact Area: San Marco Overlay zoning regulations

Fiscal Impact: No cost to the City

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-863

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

Date of Introduction: December 12, 2017

Committee(s) of Reference: TEU, LUZ

Date of Analysis: December 14, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 711 (Communications Facilities) to delete and replace Part 4 (Communications Facilities) with a new Part 4 divided into Subparts A, B and C. It repeals Part 4A (Site Leases for Small Cell Antennas on City Improvements) and incorporates those provisions into the revised Part 4. It also amends Chapter 656 (Zoning Code) to change the terms from “small cell antennas” mounted on “city improvements” to “small wireless facilities placed, maintained or collocated in City Rights-of-Way.”

Background Information: The bill is being proposed in part to revise and update portions of Part 4 that have not been revised since 2001 and also to incorporate the provisions of a revised Part 4A and a new Subpart C to address a recent change in state law regarding installation of small wireless facilities in City rights-of-way. The state law change requires local governments to all the installation of such communications infrastructure and limits the type of regulations and conditions that may be imposed. This bill is intended to adopt a regulatory system to the extent permitted by the new state law.

The new Subpart A - Registration and General Provisions - contains numerous definitions and requires services providers desiring to utilize City rights-of-way to register in advance with the City and provide evidence of insurance and of a certificate of authorization or a license to provide “communications services” issued by the Florida Public Service Commission, the Federal Communications Commission or other federal or state agency. Registration is a required prelude to application for a required permit. The Subpart makes provisions for permit application, award, transfer, sale or assignment, appeals, involuntary termination for cause, insurance, indemnification, construction bonds, enforcement and other operational aspects.

The new Subpart B – Underground Communications Facilities – provides for a permitting process for underground installations, excavation regulations, reservation of the City’s rights to place its own utilities in its rights-of-way, payment of relocation costs and suspension of permits.

The new Subpart C – Small Wireless Facilities – establishes a permitting and appeals process, a process for the City to explore potential alternate locations for proposed facilities, design and camouflage requirements, height limitations, collocation requirements, and a requirement that newly installed facilities must be used by a “wireless services provider” for provision of “communications services” within 9 months.

Policy Impact Area: Regulation of use of City rights-of-way by communications companies

Fiscal Impact: Undetermined

Analyst: Clements