

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2015-801 Amended

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 24, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: December 4, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$400,000.00 in grant funding for completion of a Clara White Mission project; and provides carryover of funds from year to year until expended or lapse based on the originating state of federal program grant.

Background Information: This a continuation grant with \$200,000.00 from Community Development Block Grant funding; and \$200,000.00 from Historic Preservation funding. The funds will be used to complete the Beaver Street Villas Project being developed by the Clara White Mission, Inc.

Policy Impact Area: Planning & Development Department, Housing & Community Development Division

Fiscal Impact: The appropriation of \$400,000.00 as initiated by B.T. 16.009.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-836

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 8, 2015

Committee(s) of Reference: LUZ

Date of Analysis: December 4, 2015

Type of Action: Amending *Ordinance Code* Chapter 656

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 1 (General Provisions), Subpart B (Administration), Section 656.110 (Enforcement); and Part 1 (General Provisions), Subpart E (Certificates of Use), Section 656.162 (Penalty for failure to obtain a certificate of use), *Ordinance Code*.

Background Information: In Section 656.110 and Section 656.162, the Municipal Code Compliance Division (MCCD) acquires enforcement authority as issued to the Building Inspection Division as it pertains to certificate of use.

An "alleged violator" shall be given thirty (30) days from receipt of notice to correct a violation and submit a completed application for certificate of use (COU). If violations have not been corrected nor a COU application submitted, MCCD has the authority to issue a cease and desist order which could be accompanied with an order to terminate electrical power. Section 656.162 will provide the Chief of the Building Inspection Division the authority to terminate electricity under some circumstances.

Policy Impact Area: Planning & Development Department; Regulatory Compliance Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-837

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 8, 2015

Committee(s) of Reference: LUZ

Date of Analysis: December 4, 2015

Type of Action: Amending *Ordinance Code* Chapter 656

Bill Summary: This bill amends Chapter 656 (Zoning Code), Subpart C (Landscaping Requirements), Part 12 (Landscape and Tree Protection Regulations), Section 656.1209 (Applicability), *Ordinance Code*.

Background Information: The amendment to Section 656.1209 (Applicability) will provide additional landscaping provisions for expansion or renovation of qualified projects.

Policy Impact Area: Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-838

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

Date of Introduction: December 8, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: December 10, 2015

Type of Action: Budget transfer; designation of oversight agency

Bill Summary: The bill transfers \$169,801.50 within the Metropolitan Park maintenance fund from revenue lines to expenditure lines to provide funding for the park's annual operating costs. The bill designates the Parks, Recreation and Community Services Department as the oversight agency for the expenditures.

Background Information: The transfer will provide funding for utility expenses, credit card fees, electrical repairs, hand rail replacements along the waterfront, purchase of utility carts, vehicle repairs, sidewalk and pavilion repairs, and repair and maintenance supplies and materials. The Metropolitan Park Maintenance and Improvements Fund receives revenue from event admissions fees, facility rentals and interest earnings which is used to pay for maintenance and repairs of the park's facilities.

Policy Impact Area: Recreational facility maintenance and repairs

Fiscal Impact: The bill transfers \$169,801.50 within the Metropolitan Park maintenance fund from revenue lines to expenditure lines.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-839

Sponsor: Council President at the request of the Mayor:

Date of Introduction: December 8, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: December 11, 2015

Type of Action: Appropriation; Agreement Approval

Bill Summary: The ordinance appropriates a \$400,000 Fiscal Year 2015 Brownfields Assessment Grant from the U.S. Environmental Agency to conduct Brownfields assessments in Jacksonville as a part of the Jacksonville Brownfields Assessment Program, as initiated by B.T. 16-015; it provides for a carryover of funds to subsequent fiscal years; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Cooperative Agreement between the City and the U.S. Environmental Protection Agency; it provides for City oversight by the Planning & Development Department.

Background Information: The EPA defines Brownfields as sites that are abandoned, idled or under-used industrial and commercial facilities where redevelopment is complicated or impeded by real or perceived environmental contamination. In designating a site as a Brownfields, the City makes that site eligible for economic incentives for rehabilitation and economic development.

Policy Impact: Brownfields/Planning & Development Department

Fiscal Impact: The ordinance appropriates a federal grant in the amount of \$400,000.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-840

Introducer/Sponsor(s): Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: F

Date of Analysis: December 10, 2015

Type of Action: Budget and CIP ordinance amendments

Bill Summary: The bill amends the FY15-16 budget ordinance (2015-504-E) to attach a 3rd Revised Schedule A-1 (FY2016-20 Proposed Capital Improvement Program) and amends the 2016-20 Capital Improvement Plan (Ordinance 2015-505-E) to attach a Revised Exhibit 1 to correct an erroneous allocation of funding between two projects.

Background Information: The bill corrects an erroneous allocation of funds between the Jax Ash Site Pollution Remediation account and the Solid Waste - Landfill Expansion account. The bill amends the Jax Ash Site project to decrease the FY15-16 expenditure amount from \$1,700,000 to \$1,330,572 and decrease the Interest Earnings and Revenue Appropriation from \$1,200,000 to \$830,572. It amends the Landfill Expansion project to increase the FY15-16 expenditure amount from \$10,630,572 to \$11,000,000 and to increase the Interest Earnings and Revenue Appropriation from \$5,834,826 to \$6,204,254. The changing amount of \$369,428 was allocated to Jax Ash Site project instead of to the Landfill Expansion project.

Policy Impact Area: Capital improvement program

Fiscal Impact: No net impact; the bill adjusts the project expenditure amounts up and down by the same amount in the two accounts.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-841

Sponsor(s): Council President at the request of the Mayor and Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: F, RCDOHS, R

Date of Analysis: December 3, 2015

Type of Action: Establishment of Festival Overlay Zone and Activity Period; Wavier of *Ordinance Code* and Environmental Protection Board Rules

Bill Summary: The bill establishes a festival overlay zone in the downtown area and designates the time from 12:01 a.m. on Thursday, April 7, 2016 through 2:00 a.m. on Sunday, April 10, 2016 as the Festival Activity Period to facilitate the operations of the 2016 One Spark Festival. The bill waives the provisions of the City's Noise Control Ordinance and Environmental Protection Board (Chapter 368) and the provisions of Section 154.108, Ordinance Code, to permit outdoor musical entertainment and allow open containers in the designated overlay zone during the Festival Activity Period only.

Background Information: The One Spark Festival is a private, non-profit organization that intends to spur the revitalization of Jacksonville, and particularly the downtown area, by hosting a five day festival of creativity, art, entrepreneurship and innovation, offering cash prizes for the best projects as determined by vote of the festival attendees. The concept is loosely based on ArtPrize in Grand Rapids, Michigan, billed as the world's largest art contest. The festival will be held in venues around downtown and hopes to attract hundreds of entrants and tens of thousands of attendees.

The festival overlay zone covers the area downtown roughly from the St. Johns River on the south to City Hall on the north and from Liberty Street on the east to Pearl Street on the west.

Policy Impact Area: Downtown Revitalization

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-851

Sponsor: Council President at the request of the Mayor:

Date of Introduction: December 8, 2015

Committee(s) of Reference: F; TEU

Date of Analysis: December 11, 2015

Type of Action: Easement Authorization

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Temporary Construction Easement granting to Elena Flats LLC (“grantee”) a Temporary Construction Easement in, over and under the easterly seven feet of a City-owned East Duval Street surface parking lot allocated to the Supervisor of Elections and adjacent to the property owned by grantee at 122 East Duval Street in Council District 9 to provide grantee additional work space and access to the exterior of the Elena Flats Building while it undergoes renovations.

Background Information: The proposed TCE is being granted contingent upon the following conditions. Elena Flats LLC may temporarily relocate fencing within the boundary of the TCE in such a way the Supervisor of Elections’ surface parking lot remains secure for the duration of the TCE period. Elena Flats LLC shall not move the electric gate located at the entrance to the surface parking lot, nor interrupt its operations during the duration of the TCE period. Prior to the expiration of the TCE, Elena Flats LLC shall replace temporarily relocated fencing to its original location and restore all other affected improvements to conditions similar to those prior to the commencement of the TCE period. Elena Flats LLC’s use of this TCE shall not impede the Supervisor of Elections’ use of the existing surface parking lot, nor affect the current number of available parking spaces, nor interrupt deliveries to and from the Supervisor of Elections’ adjacent place of business, nor interfere with the Supervisor of Elections’ employees’ ability to enter and exit said parking lot, nor inhibit garbage/waste collections.

NOTE: In the ordinance’s title, Council District 9 is referenced when, in fact, the site is located in Council District 7.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2015-852

Sponsor: Council Member Crescimbeni & Co-sponsored by Council Member Boyer:

Date of Introduction: December 8, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: December 11, 2015

Type of Action: Support Resolution for State Appropriation

Bill Summary: The resolution supports the Jacksonville Transportation Authority and the City of Jacksonville's \$1.5 million appropriation request to the State of Florida for the St. Johns River Ferry in 2016; it directs the Council Legislative Services Division to provide a copy of this resolution to the Governor of Florida, President of the Florida Senate, Speaker of the House and Members of the Duval Legislative Delegation.

Background Information: The JTA and the City of Jacksonville have partnered over the past few years in applying for grants to continue the operation and provide for capital costs related to the St. Johns River Ferry. The JTA is currently poised to take over the ferry's operation in the spring of 2016. The City has been operating the ferry since 2012. The JTA and the City are applying for funds to complete Phase II of the St. Johns River Ferry Slip Walls Rehabilitation Project. The slip walls were originally installed in 1949, and after decades of use, along with the exposure to the elements of the river, the slip walls have deteriorated. The City Council had previously adopted Resolution 2015-619-A expressing its support for the City and JTA's application for funds from the Federal Transit Administration's Ferry Passenger Grant Program for Phase II of the ferry slip wall and fender system project.

Policy Impact: St. Johns River Ferry

Fiscal Impact: The resolution supports an application to the State of Florida for funding in the amount of \$1.5 million.

Analyst: Jackson

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Bill Type and Number: Resolution 2015-855

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 8, 2015

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Bernard C. Jorn to the Context Sensitive Streets Standards Committee, as a disabled person or advocate for disabled persons, for a first full four-year term ending July 31, 2019.

Background Information: The Context Sensitive Streets Standards Committee is established pursuant to Chapter 32, Part 7, *Ordinance Code*, and charged to review and revise the City standard specifications, City standard details and rules, standards and policies set forth in the Land Development Procedures Manual and any other regulations, relating to transportation, traffic engineering and roadway design, and make recommendations concerning amendments to the Ordinance Code and 2030 Comprehensive Plan pertaining to such issues on or before March 1, 2014. Section 32.702(b)(2), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Council President and confirmed by Council, in various categories, including a disabled person or advocate for disabled persons.

Chaplain Jorn received a master's degree in education from the University of North Florida and is a Chaplain with *Brooks Rehabilitative Hospital*. He resides in the Miramer area, within Council District #5.

Attendance: According to information provided by the staff for the committee, Chaplain Jorn has attended 74% of the meetings of the committee since his initial appointment in February 2014.

	Meetings Held	Meetings Attended
2014	13	10
2015	10	7
Total	23	17

Policy Impact Area: Context Sensitive Streets Standards Committee operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-856

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Appointment

Bill Summary: This bill appoints Delilah R. "Dee" Bumbarger to the Jacksonville Housing Finance Authority, as a finance representative, filling the seat formerly held by Wight Gregor for an unexpired term ending November 30, 2016.

Background Information: The Jacksonville Housing Finance Authority is established pursuant to Chapter 52, *Ordinance Code*, and charged to ensure compliance with Sec. 159.601, *Florida Statutes*, regarding the encouragement of investment by private enterprise and the stimulation of construction and rehabilitation of housing through the use of public financing and the provision of low-cost loans to purchase affordable housing. Sec. 52.106, *Ordinance Code*, provides that three of the seven members of the board shall be appointed by the Council.

Ms. Bumbarger and is a licensed real estate sales broker with *Buck & Buck Inc., Realtors*. She resides in the Lake Lucina area within Council District #1.

NOTE: This bill may need to be amended to change the term expiration date to June 30, 2016, so as to comply with Ordinance 2014-185-E which moved the term start date for board members from November to July 1st.

Policy Impact Area: Jacksonville Housing Finance Authority operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-857

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Appointment

Bill Summary: This bill appoints Wiatt T. Bowers, AICP to the Health Planning Council of Northeast Florida, Inc., in the "consumer" category, filling the seat formerly held by Stephen T. Lovett, for an unexpired term ending September 30, 2016.

Background Information: The Health Planning Council of Northeast Florida, Inc. is established pursuant to Section 408.033, *Florida Statutes*, and authorized to develop a district health plan; advise the state department on health care issues and resource allocations; promote public awareness of community health needs; collect data and conduct analyses and studies related to health care needs of the district; advise and assist local governments on the development of an optional health plan; and monitor and evaluate the adequacy, appropriateness and effectiveness of funds distributed to meet the needs of the medically indigent. The bylaws of the Health Planning Council provide that the Board of Directors shall be made up of health care consumers, providers and purchasers, with a consumer being an individual who is a member of the general public or representative of consumer organizations but not a health care provider or purchaser.

Mr. Bowers received a master's degree in urban and regional planning from Florida State University and is a Senior Transportation Planner with *Atkins North America*. He also serves on the Downtown Development Review Board. Mr. Bowers resides in the Downtown area within Council District #7.

Policy Impact Area: Health Planning Council of Northeast Florida, Inc. operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-858

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Ronald K. Moody, MAI, SRA to the Downtown Investment Authority Board, as a Southbank CRA representative, filling the seat formerly held by Tony Allegretti, for an unexpired term ending June 30, 2016.

Background Information: The Downtown Investment Authority is established pursuant to Chapter 55, Part 3, *Ordinance Code*, and charged as the sole development and community redevelopment agency for Downtown for the City of Jacksonville pursuant to Chapter 163, Part III, *Florida Statutes*. Section 55.307(b)(1), *Ordinance Code*, provides that four of the nine members of the board be appointed by the Council President and confirmed by Council, in various categories, including a person residing in or with substantial business interest in the Southbank CRA.

Mr. Moody received a bachelor's degree in land economics from the University of North Florida. He is a licensed real estate broker and certified appraiser. Mr. Moody is the President of *Moody Appraisal Group LLC*. Both his business and residence are located within the Southbank CRA area in Council District #5.

Policy Impact Area: Downtown Investment Authority Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-0859

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Brenna M. Durden to the Downtown Investment Authority Board, replacing Doris Sussman Goldstein as an urban planner, for an unexpired term ending June 30, 2018.

Background Information: The Downtown Investment Authority is established pursuant to Chapter 55, Part 3, *Ordinance Code*, and charged as the sole development and community redevelopment agency for Downtown for the City of Jacksonville pursuant to Chapter 163, Part III, *Florida Statutes*. Section 55.307(b)(1), *Ordinance Code*, provides that four of the nine members of the board be appointed by the Council President and confirmed by Council, in various categories, including an urban planner .

Ms. Durden received a law degree from the University of Florida and is an attorney with *Lewis, Longman & Walker, P.A.* Her areas of practice include land use, local government and special districts. Ms. Durden resides in the Deercreek area within Council District #11.

Policy Impact Area: Downtown Investment Authority Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-860

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Appointment

Bill Summary: This bill appoints Johnathan A. Scott to the Building Codes Adjustment Board, filling the seat formerly held by Sammy Harrison, for a first full three-year term ending September 30, 2018.

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

Mr. Scott received a law degree from Liberty University. He resides in the San Jose Forrest area within Council District #5.

Policy Impact Area: Building Codes Adjustment Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-861

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Reappointment

Bill Summary: This bill reappoints Frank M. Ringhofer, Jr., to the Building Codes Adjustment Board, for a second three-year term ending September 30, 2018.

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

Mr. Ringhofer received a bachelor's degree in architecture from Kansas State University and is a Florida licensed Architect. He is an Architect / Vice President with *PQH Group, Inc.* and resides in the Deerwood area within Council District #11.

Attendance: According to information provided by the staff for the board, Mr. Ringhofer has attended 100% of the meetings of the board since his initial appointment in January 2013.

	Meetings Held	Meetings Attended
2013	5	5
2014	10	10
2015	7	7
Total	22	22

Policy Impact Area: Building Codes Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-862

Sponsor: Council President Anderson

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 4, 2015

Type of Action: Reappointment

Bill Summary: This bill reappoints Julie A. Dion, to the Duval County Research and Development Authority, for a second four-year term ending October 17, 2019.

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 members of the Research and Development Authority shall be residents and electors of, or have their principal place of employment in, the county.

Ms. Dion, a Duval registered voter, is the President of *Dion Marketing Co.* and has previously served on the Duval County Tourist Development Council. She resides in Neptune Beach within Council District #13.

Attendance: According to information provided by the staff for the board, Ms. Dion has attended 100% of the meetings of the board since her initial appointment in May 2012.

	Meetings Held	Meetings Attended
2013	1	1
2014	1	1
2015	0	0
Total	2	2

Policy Impact Area: Duval County Research and Development Authority Operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-863

Sponsor: Council President at the request of the Jacksonville Ethics Commission

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 8, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Jacksonville Ethics Commission's appointment of David T. Rybak to the Jacksonville Ethics Commission, replacing James D. Young, for a first three-year term ending December 31, 2018.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that three of the nine members of the commission shall be Duval County registered voters appointed by the commission and confirmed by Council. The Ethics Commission selected Mr. Rybak, for appointment, at their November 2nd meeting.

Mr. Rybak, a Duval registered voter, received a bachelor's degree in accounting from Syracuse University and is a Franchise Health Care Compliance Officer with *Johnson & Johnson Vision Care*. He resides within Council District #11.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2015-864

Sponsor: Council President at the request of the Mayor

Date of Introduction: December 8, 2015

Committee(s) of Reference: R

Date of Analysis: December 8, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of R. Anthony Salem as a member of the Jacksonville Ethics Commission, replacing Alan M. Pickert, for a first three-year term ending December 31, 2018.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the Mayor and confirmed by Council.

Mr. Salem, a Duval registered voter, received a law degree from Stetson University and is an Attorney with *Jakob Law, PLLC*. He resides in Duval County.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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117 West Duval Street
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Bill Type and Number: Resolution 2015-866

Sponsor: Council Member Lopez Brosche:

Date of Introduction: December 8, 2015

Committee(s) of Reference: TEU

Date of Analysis: December 11, 2015

Type of Action: Plat Vacation

Bill Summary: This resolution concerns the vacation of a portion of the plat of Jacksonville Heights, recorded in Plat Book 5, page 93, pursuant to Section 177.101(3), *Florida Statutes*; at the request of KB Home Jacksonville LLC; returning a portion of the lands shown on said Jacksonville Heights plat to acreage; making findings; abandoning certain unopened "paper" roads within the boundaries of the plat of Jacksonville Heights which have not been opened and have not become roads suitable and necessary for the traveling public; ensuring legal access to abutting properties.

Background Information: Florida Statutes authorize the governing bodies of counties and municipalities to adopt resolutions vacating plats of subdivisions and returning property covered by said plats to acreage upon showing that the applicant for the vacation is the actual owner of these "paper" roads and that the roads have never been opened for public travel and do not impede convenient access of any person owning abutting properties or any land in any other part of the plat. KB Home Jacksonville LLC has applied to vacate those portions of the plat; the applicant has provided evidence of ownership of lands within the plats to be vacated. All state and county taxes on the lands to be vacated have been paid in full or provision made for such payment. The vacation of the portion of the plat will not affect the ownership or right of convenient access of any person owning any land in another part of the plat.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2015-867

Sponsor: Council President at the request of the General Council

Date of Introduction: December 8, 2015

Committee(s) of Reference: LUZ

Date of Analysis: December 9, 2015

Type of Action: Repealing *Ordinance Code* Chapter 656

Bill Summary: This bill repeals Chapter 656 (Zoning Code), PART 4 (Supplementary Regulations), Subpart B (Miscellaneous Regulations), Section 656.421 (Donation Collection Bins Prohibited), *Ordinance Code* in its entirety; and replaces it with a new Chapter 656 (Zoning Code), Part 4 (Supplementary Regulations), Subpart B (Miscellaneous Regulations), Section 656.421 (Donation Collection Bins), to provide regulations concerning the placement and use of donation collection bins within Duval County.

Background Information: The City Council passed Ordinance 2015-0327-E on May 12, 2015. The legislation prohibited the placement of donation collection bins, defined as, any stationary or free-standing container, receptacle or similar device located outdoors on any property and in any zoning category within Duval County for the solicitation and collection of donated items. Existing donation collection bins were to be removed within sixty (60) days of the effective date. Failure to comply would result in a civil infraction and removal of donation collection bin by the City of Jacksonville; and all costs associated would be the responsibility of the owner.

Go Green Charity Recyclers filed a lawsuit claiming violation of equal protection and free speech. The City and Go Green attorneys have been in settlement discussions. The judge issued a December 15th deadline for a status report which will include notification that new legislation has been filed with City Council. The bill will follow normal committee cycle rotation to allow Council members an opportunity to review and/or amend.

Policy Impact Area: Planning & Development Department, Regulatory Compliance Department

Fiscal Impact: Undetermined

Analyst: Mitchell