

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2015-98

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: February 10, 2015

Committee(s) of Reference: R, F

Date of Analysis: February 12, 2015

Type of Action: City Charter amendment

Bill Summary: The bill repeals Chapter 1 (General Provisions) of City Charter Article 7 – Departments – and moves the provisions to become a new Article 24 of the Charter – Departments. New language is added requiring the mayor to fill any vacancy in a department director’s position within 60 days of it becoming vacant. Language is added expanding on the qualifications for the position of Director of Finance/Chief Financial Officer found in Ordinance Code Chapter 24.

Background Information: The ordinance derives from the work of the Task Force on Consolidated Government. Companion Ordinance 2014-723 enacted in January retitled previous Article 7 of the Charter as the General Counsel article, splitting those provisions out from the article on departments so as to emphasize the distinction between the City departments under the direct control of the Mayor and the General Counsel’s Office, which operates more independently in representing all of the City departments, independent authorities, constitutional officers and affiliated agencies.

Policy Impact Area: Administrative organization

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-99

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 10, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: January 13, 2015

Type of Action: Ordinance Amendment

Bill Summary: The ordinance amends Chapter 636 (Traffic and Parking), Part I (Parking Violations), Section 636.104 (Payment of Parking Citations and Parking Facility Fees; Late Charges; Final Notice) and Chapter 804 (Jacksonville Traffic Code), Part 10 (Parking), Section 804.1012 (Unauthorized Parking in Disabled Parking Space Prohibited), *Ordinance Code*, so as to authorize current and future transfers by the Office of Public Parking of all dismissal fees collected or to be collected pursuant to Section 318.18(6), Florida Statutes, to the Handicapped Parking Trust Fund; provides for City oversight by the Department of Parks, Recreation and Community Services.

Background Information: The purpose of the proposed legislation is to revise 804.1012, *Ordinance Code*, to include "fees collected for dismissal" and from 636.104 to include transfer dismissal fees to Handicapped Trust Fund. Hitherto, if a vehicle with an authorized handicapped parking placard was ticketed and fined because the placard had fallen or was not clearly in view, the handicapped individual could petition the Clerk of the Court to dismiss the fee. The Clerk of the Court kept the dismissal fee. This legislation provides that the dismissal fees now be deposited with the Handicapped Trust Fund. An October 2014 letter from Clerk of the Court Ronnie Fussell to the Disabled Services Division designates the City of Jacksonville to receive the affidavits and dismissal fees relating to citations for parking in spaces reserved for persons who have disabilities.

Policy Impact: The proposed legislation would enable the Handicapped Trust Fund to acquire \$20,000 per year.

Fiscal Impact: Parks, Recreation & Community Services Department/Disabled Services Division Handicapped Parking Trust Fund.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-100

Introducer/Sponsor(s): Council Members Anderson, Crescimbeni, Gulliford, Jones, Lee and Love

Date of Introduction: February 10, 2015

Committee(s) of Reference: LUZ

Date of Analysis: February 10, 2015

Type of Action: Amend Chapter 656, Part 1, *Ordinance Code*

Bill Summary: This bill amends:

- Chapter 656 (Zoning Code), Part 1 (General Provisions), Subpart B (Administration), Section 656.110 (Enforcement) to add a new subsection (h) to provide for certain uses to be grandfathered;
- Part 3 (Scheduling of District Regulations), Subpart C (commercial Use Categories and Zoning Districts), Section 656.313 (Community/General Commercial Category) to add a new subsection (24) to add automated car wash facilities and mobile car detailing services as a permitted use and manual car wash facilities as a permissible use by exception to the list of uses in the CCG-1 Zoning District; exception from the list of uses in the CCG-1 Zoning District;
- to add automated car wash facilities, auto laundry facilities and mobile car detailing services as permitted uses and manual car wash facilities as a permissible use by exception to the list of uses in the CCG-2 Zoning District; to delete car wash from the list of uses in the CCG-2 Zoning District;
- subpart D (Industrial Use Categories and Zoning Districts), Section 656.322 (Light Industrial Category), *Ordinance Code* to add automated car wash facilities, uses in the IL Zoning District; and adds auto laundry facilities and mobile car detailing as permitted uses and manual car wash facilities as a permissible use by exception to the list of uses in the IL Zoning District;
- Section 656.323 (Heavy Industrial Category), *Ordinance Code* to add automated car wash facilities, auto laundry facilities and mobile car detailing as permitted uses and manual car wash facilities as a permissible use by exception to the list of uses in the IH Zoning District;
- To delete car wash from the list of and amending Part 16 (Definitions), Section 656.1601 (Definitions), *Ordinance Code* to add new definitions for auto laundry, automated car wash, manual car wash and mobile car detailing

Background Information: There are various unauthorized car wash activities operating in Jacksonville which are not connected to a permanent structure or business operation, and violate environmental rules and regulations. The Special Ad Hoc Committee on Jacksonville's Neighborhood Blight seeks to eliminate any activities and conditions that contribute to blighted issues. The committee reviewed and approved the legislation on January 22, 2015 for introduction to the City Council.

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

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-101

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 10, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: January 13, 2015

Type of Action: Appropriation; Ordinance Code Waiver

Bill Summary: The ordinance appropriates \$98,000 from the Environmental Protection Fund to provide funding for a four-year, comprehensive study of mercury in the Duval County environment, as initiated by B.T. 15-025; provides for a carryover of funds to Fiscal Year 2018-2019; it authorizes the Mayor and Corporation Secretary to execute an agreement between the City of Jacksonville and Jacksonville University for the mercury study; provides for City oversight by the Department of Regulatory Compliance; invokes the Exception of 126.107 (G) (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, for the professional services of Jacksonville University for the mercury study; the ordinance waives conflicting provisions of Section 360.602 (Uses of Fund), Part 6 (Environmental Protection Fund), Chapter 260 (Environmental Regulation), *Ordinance Code*, so as to authorize the Environmental Protection Board to utilize funds from the Environmental Protection Fund to purchase equipment to be used during the mercury study.

Background Information: The proposed study would assess the levels of mercury that are in the air and in water bodies of the County. The study will be reviewed with the Duval County Health Department to determine if advisories are needed to protect human health. The levels of mercury are elevated in Florida and the public health community feels that more information is needed to determine the sources of the mercury. Water and sediment will be sampled at existing monitoring sites and targeted sites such as Julington Creek, the mouth of the Ortega River, and Main Street and Trout River which are popular recreational areas. Ambient air mercury concentrations will be collected at four existing sampling locations – Yellow Water Road, Sheffield Elementary School, the Mayo Clinic and Cisco Road. The main stem of the St. Johns River will be assessed for mercury levels.

Policy Impact: Regulatory Compliance Department/Environmental Quality Division/Environmental Protection Board.

Fiscal Impact: The ordinance appropriates \$98,000.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-102

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 10, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: January 13, 2015

Type of Action: Appropriation; CIP Amendment

Bill Summary: The ordinance appropriates \$309,037 from the Inmate Welfare Trust Fund to Sheriff's Capital Projects to provide funding for costs associated with construction of Montgomery Correction Clinic, as initiated by B.T. 15-029; provides for a carryover of funds into subsequent fiscal years; the ordinance amends the 2015-2019 five-year Capital Improvement Program, approved by Ordinance 2014-467-E, to provide funding for the project entitled "Montgomery Correctional Clinic.:

Background Information: The project has been in the planning stages for a considerable length of time. Presently, the clinic facilities at Montgomery Correctional Clinic operate out of small trailers that were donated to the Department of Corrections 20 years ago. At that time the trailers were already end of life and required extensive renovations for them to be usable. [With the growth of the inmate population at MCC, the Department of Health Services needs a functional building to be able to provide proper health care. Additionally, the new clinic will include classrooms that will allow the DOC to offer inmate rehabilitative programs to help reduce recidivism. Programs such as In and Out Dads, GED, AA, NA and Thinking for a Change provide valuable rehabilitative services.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$309,037

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-103

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 10, 2015

Type of Action: Appropriation of funds

Bill Summary: This appropriates \$209,433.00 in Mosquito Control State I funds carried over from FY 2014 for budgeting and allocating such funds to procure supplies and services necessary for routine mosquito control operations during FY 2015, including but not limited to insecticides, durable equipment, and repair and maintenance supplies and services.

Background Information: The funds carried over from FY 2014 will support the current operations during FY 2015, per Rule 5E-13.027(1), Florida Administrative Code, and Florida Department of Agriculture and Consumer Services (FDACS) Contract 021287 (City Contract #8694-13). B.T. 15-30 will be certified by FDACS as a budget amendment to sub fund ERMC012.

Policy Impact Area: Regulatory Compliance Department

Fiscal Impact: The appropriation of \$209,433 from B.T. 15-30 to sub fund ERMC012.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-104

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: R, F

Date of Analysis: February 12, 2015

Type of Action: Appropriation

Bill Summary: The bill appropriates \$642.65 from the Office of Inspector General's salary account to an Information Technologies sub-object to provide funding for the purchase of computers and telephones and for IT operational support for FY14-15.

Background Information: With the creation of the Office of Inspector General as an independent agency, new budget accounts must be set up to provide that agency with the necessary means to acquire equipment and to pay for central services support.

Policy Impact Area: Inspector General operations

Fiscal Impact: None; the bill appropriates \$642.65 from salary to IT operations accounts

Analyst: Clements

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Bill Type and Number: Ordinance 2015-105

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: TEU, F, RDCPHS, JWW

Date of Analysis: February 12, 2015

Type of Action: Appropriation; authorization to execute interlocal agreement

Bill Summary: The bill appropriates \$869,486 from the stormwater utility operating budget for the purchase of a first year's water quality credits from the JEA to meet the City's water quality obligations under the Florida Department of Environmental Protection's (FDEP) St. Johns River Basin Management Action Plan (BMAP). The bill authorizes execution of an agreement between the City and the JEA for transfer of the credits. The bill also approves execution of an agreement between the City and the Florida Department of Transportation (FDOT) for a trade of total nitrogen credits in the marine section of the Lower St. Johns River Basin from the FDOT to the City.

Background Information: The City is mandated by the federal Clean Water Act to reduce the amount of nutrients it discharges or allows to be discharged into the St. Johns River and its tributaries. The Florida DEP has established nutrient reduction targets for all permitted dischargers into the river, including the City, the JEA and the FDOT. In order to meet its 50% nitrogen reduction target by July 31, 2015 the City may either make improvements to sanitary sewer and stormwater systems that reduce the nutrient load, or may purchase "credits" from other regulated dischargers that have already met and exceeded their nutrient reduction targets, thereby creating credits which may be sold to other regulated entities to meet their obligations. The City has determined that, given its current revenue constraints, the most economical means of meeting the mandated reductions is to purchase 30.34 metric tons of total nitrogen water quality credits per year from the JEA for 8 years (through December 2023) at a cost of \$2,086,767 per year (\$869,486 for a partial year in 2015). The City also agrees to immediately acquire 10.57 metric tons of nitrogen credits from the FDOT in return for an assumption of responsibility for an additional 5% of the BMAP-required nitrogen reductions for non-point source runoff in the City, from 90% to 95%. FDOT's responsibility will be reduced from 10% to 5%.

Policy Impact Area: St. Johns River environmental cleanup mandate

Fiscal Impact: The bill appropriates \$869,486 from the stormwater utility operating budget for the remainder of FY14-15 and commits the City to paying the JEA \$2,086,767 per year through 2023 for future credits.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-106

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: F

Date of Analysis: February 10, 2015

Type of Action: Amending Ordinance 2014-481-E

Bill Summary: This bill amends Ordinance 2014-481-E to reallocate funds previously appropriated, to change the funding amounts for partnering agencies providing services through cover Jacksonville Grant; and makes no other changes to Ordinance 2014-481-E.

Background Information: The Jacksonville Children's Commission, in an 18-month partnership with the Player's Center at Wolfson Children's Hospital, United Way, the Health Planning Council, and Duval County Public Schools, was awarded a grant to create a campaign called Cover Jacksonville, the goal of which is to reduce the number of uninsured children in Duval County by 20% by December of 2015. The grant period covers July 2014, and through December 2015.

One of the partnering agencies cannot provide expected services; however, another partnering agency is able to take on the additional services. Ordinance 2014-481-E requires amendment to reallocate the funds as to increase the amount to United Way from \$28,499 to \$33,000; and decrease the amount allocated to the Player's Center from \$33,999 to \$29,498. With the exception of Section 1, all other aspects of Ordinance 2014-481-E shall be unchanged and in full force and effect.

Policy Impact Area: Jacksonville Children's Commission

Fiscal Impact: United Way's allocation increased by \$4,501; and The Player's Center allocation decreased by \$4,501.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-107

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 10, 2015

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

Date of Analysis: January 13, 2015

Type of Action: Surplus Property Declaration; Ordinance Code Waiver

Bill Summary: The ordinance concerns property purchased by the City of Jacksonville as the recipient of Urban Area Security Initiative (UASI) monies from the Department of Homeland Security (DHS) and as the purchasing entity for the 13 counties of Northeast Florida; declares such UASI property to be surplus to the needs of the City and authorizes the Director of the Fire and Rescue Department to transfer the UASI property to county agencies or governing bodies currently in possession of such UASI property (the "agencies"); the ordinance waives Section 122.812, *Ordinance Code*, to allow for the transfer of the UASI property to the agencies at no cost to the agencies; waives Council Rule 3.102 (G)(2)

Background Information: There are approximately 3,000 items of property in the possession of 62 separate agencies. The City desires to remove such items of property acquired under UASI agreements from its inventory so as to eliminate its annual auditing obligation. The City desires to remove the administrative burden placed upon the agencies and the City's inventory personnel. The agencies have agreed to assume full responsibility and ownership of their respective items of property in compliance with Title 44 of the Code of Federal Regulations. The City desires to transfer ownership of the property to the agencies at no cost.

Policy Impact: JFRD/Emergency Preparedness Division

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-109

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 10, 2015

Committee(s) of Reference: TEU; F

Date of Analysis: September 13, 2015

Type of Action: Authorization for Conveyance and Easement

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver in accordance with Section 122.421 (B), *Ordinance Code*, (1) a City deed conveying to the State of Florida Department of Transportation (FDOT) Parcel 108.1, a fee parcel, and (2) a Temporary Easement granting FDOT a temporary construction easement in, over, and under Parcel 701.1, a fee parcel, both at the I-95 and I-295 Interchange North in Council District 11 and needed by FDOT for the construction of interchange improvements at the I-95 and I-295 Interchange North and for improvements to Cole Road which it crosses under I-95, together with all documentation to convey said fee parcel and grant said temporary construction easement.

Background Information: the temporary construction easement is for the purposes of tying in and harmonizing driveways, walkways, and adjacent property, and will also allow for FDOT's construction of interchange improvements at the I-95 and I-295 Interchange North and for improvements to Cole Road where it crosses under I-95.

Policy Impact: Public Works Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-110

Introducer/Sponsor(s): Transportation, Energy & Utilities Committee

Date of Introduction: February 10, 2015

Committee(s) of Reference: TEU

Date of Analysis: February 10, 2015

Type of Action: Street Naming; Ordinance Code Amendment

Bill Summary: This bill approves for "Edward Creek Road North" in Council District 11 to be renamed "Edwards Creek Road"; and directs Legislative Services Division to forward this Ordinance to the Planning and Development Department.

Background Information: There have been several issues with numerous properties assigned to Edwards Creek Road North that are actually using addresses assigned to Edwards Creek Road without the "North" designation. The United States Postal Service excludes and JEA records do not recognize the "North" designation. The re-naming of Edwards Creek Road North eliminates confusion and allows for the precise location of properties. All affected property owners have been properly noticed of all meetings and the 14 day appeal process. No appeals were submitted. The Jacksonville Historic Preservation Commission reviewed the recommendation of the 911 Emergency Addressing Advisory Committee and made a determination that there was no historical impact.

Policy Impact Area: Planning and Development Department, Fire & Rescue Department, 911 Emergency Addressing Unit

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-111

Introducer/Sponsor(s): Council Member Holt

Date of Introduction: February 10, 2015

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

Date of Analysis: February 10, 2015

Type of Action: Declaring surplus of property

Bill Summary: This bill declares that certain Fire Rescue 13 Freightliner/American LaFrance valued at \$9,450.00 to be surplus to the needs of the City; authorizes the appropriate officials of the City to transfer title of said property to Guardians of the Ribbon – Jacksonville Chapter, Inc., a Florida non-profit corporation at no cost, regarding disposal of fire equipment to allow donation to Guardians of the Ribbon-Jacksonville Chapter Inc.; waives Section 122.813, *Ordinance Code* regarding fire equipment to allow donation to Guardians of the Ribbon-Jacksonville Chapter Inc.; and provides for a reverter.

Background Information: Fire Rescue 13 Freightliner/American LaFrance (VIN 1FVABPCS54DM17847, Motor Pool Number 8734-10) was decommissioned in October 2013 and no longer needed by the Jacksonville Fire and Rescue Department. Fire Chief Senterfitt supports the donation of the property to the Guardians of the Ribbon – Jacksonville Chapter, Inc. The subject property will be a part of the Pink Heals National Tour where local fire fighters volunteer their time to drive pink fire trucks across the country to fundraise for cancer patients, and campaign for greater awareness through public outreach. The waiver is warranted due to the fire vehicle being in poor condition but has a greater public purpose in donating it to Guardians of the Ribbon- Jacksonville Chapter to assist in the efforts of the organization to fundraise and bring awareness.

Policy Impact Area: Fire & Rescue Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-112

Sponsor: Council Member Gaffney:

Date of Introduction: January 10, 2015

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

Date of Analysis: January 13, 2015

Type of Action: Conveyance of Surplus Property; Ordinance Code Waiver

Bill Summary: The ordinance declares a parcel of real property located on Fourth Street. R.E. # 070930-000, located in Council District 7 (the "subject property"), to be surplus to the needs of the City; it authorizes its conveyance and authorizes the Mayor and Corporation Secretary to execute documents necessary for such conveyance; the ordinance waives the provisions of Subject B (Real Property Dispositions), Part 4 (Real Property), Chapter 122 (Public Property), *Ordinance Code*, which requires the disposal of properties assessed at less than \$25,000 by negotiation without bid or by bid, for cash, certified check or cashier' check.

Background Information: In 1979, the subject property reverted to the City for failure to pay taxes. On December 17, 1990, the City conveyed the subject property to the Historic Springfield Redevelopment Corporation for the purpose of relocating a historic house or constructing low- to moderate-income housing; within three years from the date of the conveyance, subject property reverted the City (a house was not relocated nor was any low- to moderate-income housing constructed). On October 9, 2003, Michael A. Acampora and Rosalin P. Acampora purchased the subject property and adjacent property; a tax certificate was outstanding on the subject property that was not satisfied as a part of the sale. Since 2003, the Acamporas have maintained the subject property and paid the ad valorem taxes. The Acamporas now desire to sell the subject property but their buyer's title insurance company requires a deed from the City for the subject property to clear the reversion of the subject property to the City in 1993. This ordinance declares that the subject property is surplus to the needs of the City and authorizes its conveyance to the Acamporas.

Policy Impact: Real Estate Division/Public Works Department

Fiscal Impact: The ordinance conveys a parcel (vacant lot) whose assessed value is \$7,898.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-113

Introducer/Sponsor(s): Council Members Boyer, Anderson, Love, Crescimbeni, Gulliford and Schellenberg

Date of Introduction: February 10, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: February 12, 2015

Type of Action: Capital improvement project close-out

Bill Summary: The bill declares a number of Better Jacksonville Plan road projects to be completed and closed out, with no residual funds remaining in the project accounts. It declares that no waiver is necessary of Section 8.2 of the FY14-15 budget ordinance (2014-466-E) which requires that BJP projects must be deemed completed by the appropriate district council member before they can be closed administratively by the Director of Public Works, because the projects are being closed out by the Council, not the Public Works Director.

Background Information: The ordinance is the first of several that will be generated out of the work of the Special CIP Committee which has been meeting since the fall of 2014 to review all of the City's listed capital improvement projects in order to determine which are completed, which are still in process, which are unlikely ever to be undertaken and should be abandoned, which have fund balances remaining, which are in a cash deficit position, how much funding needs to be identified and either reallocated or borrowed to complete the projects intended to be completed, and how much cash or borrowing authorization exists that can be reprogrammed to other projects with funding needs. This list represents the Better Jacksonville Plan transportation improvement projects that have been completed and that have no remaining fund balance needing transfer to another account.

Policy Impact Area: Capital improvement project close-out

Fiscal Impact: None; the list includes only projects with no remaining budgetary balance.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-114

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: February 10, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 10, 2015

Type of Action: Approval and authorize of modification to home loan agreements

Bill Summary: This bill approves the period of affordability required by the federal HOME loan agreements between the City and The Towers of Jacksonville, Inc., to be reduced from 10 years to 7 years; authorizes the Mayor or his designee, and the Corporation Secretary to execute and deliver on behalf of the City all documents necessary or appropriate to effectuate the reduced affordability period in the HOME loan agreements with The Towers of Jacksonville, and to take such other action as may be necessary or appropriate to effectuate the purpose of this Ordinance.

Background Information: The Towers of Jacksonville, Inc., received a federal HOME loan from the City in 2005 for the estimated cost of window replacement and received a second loan the same year for additional funds for the actual costs to complete the window replacement. The initial loan documents required that housing remain affordable to incomes up to and including 80% of the Area Median Income (AMI) for a period of 10 years after which the loans is forgiven. The second loan aggregated the federal required period of affordability to 5 years from time work is completed.

The Towers of Jacksonville, Inc., and Deland RHF Housing, Inc., have formed a limited partnership to hold the property and rehabilitate it in accordance with a \$10,750,000 tax-exempt bond issue by the Florida Housing Finance Corporation, which will require the partnership to record new covenants against the property requiring rents be based on resident income levels at or below 60% of AMI. The outstanding loans will reduce the funds available for rehabilitation of the property and may cause a loss of eligibility for the rehabilitation project. Towers of Jacksonville, Inc., will realize no cash out of the transactions conveying the property to the partnership, no City funding will be required for the rehabilitation of the property, and the property will be rent restricted more favorably to the City's low income residents that were required under the HOME loans.

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

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-115

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: February 12, 2015

Type of Action: Approval of mobility fee contract; Ordinance Code waiver

Bill Summary: The bill approves a 7-year mobility fee contract between the City and Atlantic North, LLC for private construction of an extension of Abess Boulevard in exchange for \$11,187,833 in mobility fee credits in Mobility Zone 2. The bill waives the provisions of Ordinance Code Section 655.507 (Transportation improvement projects constructed by a landowner or developer) that allows a mobility fee credit for a future, privately constructed transportation improvement project in order to recognize the fact that the developer has already constructed a portion of the improvements which are ready to be dedicated to the City.

Background Information: Atlantic North, LLC has constructed a 0.41 mile extension of Abess Drive to be known as Marketplace Drive from Kernan Boulevard to Atlantic Boulevard as a 4-lane urban road with median. Additional improvements include Marketplace Drive as a 4-lane urban arterial and a 12 foot shared used path. Together all improvements were calculated to cost \$12,255,171 according to FDOT models. The Planning and Development Department has calculated that 2 lanes of Marketplace Drive and one-half of the shared use path are required for the development and therefore are not eligible for mobility fee credits, for a deduction of \$1,067,338 from the total construction cost, leaving a total mobility fee credit of \$11,187,833 to the developer. The improvements will serve the Villages at Kernan – Atlantic North development, permitted for 300 apartments, a 300 room hotel, and 916,500 square feet of commercial space located on 150.52 acres.

Policy Impact Area: Mobility fee credits for private construction of transportation improvements.

Fiscal Impact: The bill grants \$11,187,833 in mobility fee credits to the developer.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2015-116

Sponsor: Council President Yarborough

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 9, 2015

Type of Action: Appointment Confirmation; Emergency Passage

Bill Summary: This bill confirms the Council President's appointment of Council Member Don Redman as an alternate member of the Election Canvassing Board, replacing Council Member Lori Boyer, for term ending June 30, 2015. Emergency passage is requested.

Background Information: The Election Canvassing Board is established pursuant to Section 102.141, *Florida Statutes*, and charged to publicly canvass the absentee electors' ballots and provisional ballots and to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor of elections and the office of the county court judge.

Section 102.141(1)(e)2, *Florida Statutes*, provides for an alternate member appointed by the chair of the board of county commissioners.

Policy Impact Area: Election Canvassing Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-117

Sponsor: Council President Yarborough

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Council President's appointment of Curtis W. Hartin, R.Ph. to the Health and Life Insurance Procurement Committee, filling the seat formerly held by Kevin Southerland.

Background Information: Section 33.301(c), *Ordinance Code*, provides for a committee to ensure the efficient and effective procurement of health and life insurance for the benefit of the City and its employees. The membership of the committee includes two individuals with insurance experience appointed by the Council President.

Mr. Hartin received a bachelor's degree in pharmacy from the University of Houston and is the Director of Pharmacy Managed Care with *Bi-Lo Holdings*. He resides in the Deercreek area within Council District #13.

Policy Impact Area: Employee health and life insurance benefits procurement

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-118

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Curtis L. Hart to the Context Sensitive Streets Standards Committee, as a land developer representative, for a first full term ending July 31, 2018.

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. Section 32.702(b)(1), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Mayor, subject to confirmation by the Council, in various categories, including a representative of the home-building industry, a home-builder, a representative of the land development industry or a land developer.

Mr. Hart received a bachelor's degree in business administration from the University of Florida. He holds a Florida Real Estate Sales Associate license and owns *Hart Resources, LLC*. Mr. Hart also serves as Chair of the Jacksonville Journey Oversight Committee and has previously served on the Jacksonville Planning Commission, the Stormwater Advisory Committee and the Mobility Planning Committee. He resides in the Hogan area within Council District #4.

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 2015-119

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Stephanie O. James as a member of the Duval County Job Opportunity Board, filling the seat formerly held by Cherron C. Newby, for a first term ending December 31, 2017.

Background Information: The Duval County Job Opportunity Board is established pursuant to Section, 180.104, *Ordinance Code*, and charged to establish the policy of the Duval County Job Opportunity Bank and advise the Director in matters concerning the operation and administration of the bank. Section 180.104, *Ordinance Code*, further provides that four of the members of the board are appointed by the Mayor, subject to approval by resolution of the City Council, and shall be generally experienced in one or more areas relating to job skills development, including but not limited to higher education.

Dr. James received a doctorate in education from the University of North Florida and is the Director of Educational Leadership at Jacksonville University. She resides in Council District #1.

NOTE: The terms for all the members of the Duval Council Job Opportunity Board are currently expired.

Policy Impact Area: Duval County Job Opportunity Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-120

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 10, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Rebecca E. Steele as a member of the Duval County Job Opportunity Board, filling the seat formerly held by Robert Baldwin for a first term ending December 31, 2017.

Background Information: The Duval County Job Opportunity Board is established pursuant to Section, 180.104, *Ordinance Code*, and charged to establish the policy of the Duval County Job Opportunity Bank and advise the Director in matters concerning the operation and administration of the bank. Section 180.104, *Ordinance Code*, further provides that four of the members of the board are appointed by the Mayor, subject to approval by resolution of the City Council, and shall be generally experienced in one or more areas relating to job skills development, including but not limited to human resources administration.

Ms. Steele received a master's degree in education and instructional design from Virginia Tech and is the Chief Human Resources Officer for *Acosta Sales & Marketing*. She resides in Council District #3.

NOTE: The terms for all the members of the Duval Council Job Opportunity Board are currently expired.

Policy Impact Area: Duval County Job Opportunity Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION

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Bill Type and Number: Resolution 2015-121

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 10, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Jacksonville Ethics Commission's appointment of Rhonda Peoples-Waters, to the Jacksonville Ethics Commission, replacing Ywana Allen for a partial term beginning February 1, 2015 and ending December 31, 2016.

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.

Ms. Peoples-Waters received a law degree from the University of Florida and is an Attorney in private practice. She previously served on the Ethics Commission from 2009 to 2010. According to the Supervisor of Elections Office, Ms. Peoples-Waters is a Duval County registered voter.

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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Bill Type and Number: Resolution 2015-126

Sponsor: Council President Yarborough

Date of Introduction: February 10, 2015

Committee(s) of Reference: R

Date of Analysis: February 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Charles E. Kleeman, to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Joseph Andrews, for a first term ending June 30, 2017.

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 commission shall be residents of the county and six of the eighteen members shall be appointed by the President of the Council and confirmed by the Council.

Mr. Kleeman received a master's degree in business administration from New York University and is a Senior Financial Analyst with *Johnson & Johnson*. He also serves on the Library Board of Trustees. Mr. Kleeman resides in the Sandlewood area within Council District #3.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Ordinance 2015-127

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: February 10, 2015

Committee(s) of Reference:

Date of Analysis: February 12, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill creates a new Ordinance Code Chapter 222 – Transportation Network Companies – to provide for regulation, licensing, inspections, records retention, background checks and operational standards for transportation network companies (TNCs), defined as companies that use a digital network to connect passengers to TNC operators for purposes of transportation that is not a digital dispatch service (as defined) or a vehicle-for-hire (as defined). The bill provides for enforcement, civil remedies, seizure, impoundment and forfeiture of vehicles for violations, and authorizes the Sheriff’s Office, City Parking Division, and Jacksonville Airport Authority to enforce the ordinance.

Background Information: The bill is intended to provide for regulation of transportation services connecting passengers directly to transport vehicles through cellphone applications, as exemplified by the companies Uber and Lyft, in the City of Jacksonville, but excluding the Beaches cities and Baldwin. The bill declares that TNC services are not vehicles-for-hire or digital dispatch services as defined in Chapter 220 of the Ordinance Code (Vehicles For Hire). It requires TNC companies to be licensed by the City, requires 7-year criminal and 3-year driving history background checks of TNC drivers. It requires annual inspections of TNC vehicles by third-party ASE-certified inspectors and requires at least \$1 million per incident death, bodily injury or property damage insurance. The bill provides for City audits of a sampling of individual driver records on a quarterly basis to verify criminal driving record checks and transport conduct records. The bill provides for enforcement via civil penalty citations in the amount of \$500 per violation, by injunctive relief through the courts, or by seizure, impoundment, immobilization and forfeiture of vehicles where there is probable cause to believe that the vehicle is being operated in violation of this chapter. It provides for hearings by a hearing examiner, special magistrate or county court judge to rule on alleged violations and enforcement actions.

Policy Impact Area: Regulation of transportation network companies (TNCs)

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2015-128

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

Date of Introduction: February 10, 2015

Committee(s) of Reference: R, F

Date of Analysis: February 12, 2015

Type of Action: Expression of City Council intent; Ordinance Code amendment; directing Supervisor of Elections to conduct referendum; commissioning of referendum fiscal impact statement

Bill Summary: The bill expresses the City Council's intent to levy, subject to voter referendum approval, a local option half-cent sales tax for emergency fire and rescue services and facilities for a period not to exceed 10 years. The bill amends the Ordinance Code to create a new Chapter 776 – Discretionary Sales Surtax for Emergency Fire Rescue Services and Facilities - which details the imposition, collection, administration, remittance and use of the tax. It authorizes and directs the Supervisor of Elections to place a referendum on the sales tax levy on the May 19, 2015 City general election ballot and authorizes the appointment of a referendum fiscal impact estimating committee pursuant to the requirements of Charter Section 18.05(k).

Background Information: The sponsor is proposing the local option sales tax as a possible means of addressing the City's desire to accelerate its pay-down of the Police and Fire Pension Fund's accrued unfunded liability. The adoption of a local option sales tax dedicated to funding fire and rescue services would eventually free up General Fund revenues that could be reallocated to pension liability pay-down, provided that a further series of steps is taken related to provisions of state law requiring a roll-back of ad valorem tax millage when such a local option sales tax is implemented.

Policy Impact Area: Fire and rescue service funding

Fiscal Impact: A half-cent sales tax currently produces approximately \$70 million per year.

Analyst: Clements