

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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



117 West Duval Street
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Bill Type and Number: Ordinance 2012-85

Introducer/Sponsor(s): Council Member Yarborough; Council Members Redman, Schellenberg, Crescimbeni, Lee, Gulliford, Lumb, Boyer, Gaffney and Daniels

Date of Introduction: February 14, 2012

Committee(s) of Reference: R, F

Date of Analysis: February 16, 2012

Type of Action: Appropriation; transfer of temporary hours; Ordinance Code amendment

Bill Summary: The bill appropriates \$142,509 from the Office of General Counsel/Ethics Office account to a yet-to-be-determined account to fund the newly created Office of Ethics, Compliance and Oversight (ECO) and transfers all subaccounts currently allocated to the Office of General Counsel/Ethics Office to the new ECO office. The bill transfers the 2,080 temporary hours from the Ethics Office to the ECO office. It authorizes the Director of the ECO office to approve expenditures from the account upon the approval of the Ethics Commission. The bill amends Ordinance Code Chapter 602 – Jacksonville Ethics Code - in Part 6 – Office of Ethics, Compliance and Oversight – to remove a reference to the ECO office being administratively housed within the Office of General Counsel and to add a new section requiring the Council Auditor to report incidents that are reasonably believed to be a violation of the City’s Ethics Code in writing to the General Counsel and to the Director of the ECO office. Finally, the bill repeals Part 11 – Ethics Officers - of Chapter 602.

Background Information: In early 2011 the City Council passed an ordinance substantially rewriting the City’s Ethics Code and creating an Office of Ethics, Compliance and Oversight. The City’s Ethics Officer at the time the ordinance was rewritten continued to serve in that position until her term expired at the end of the term of Mayor John Peyton. When the FY11-12 budget was passed it contained funding for the former Ethics Officer position housed in the General Counsel’s Office which no longer had an employee in that position, but did not appropriate funding for the new ECO office. This bill transfers the funding and hours from the former Ethics Officer position to the Director of ECO position. It also clearly establishes the independence of the ECO office from the Office of General Counsel and authorizes the Ethics Commission and Director of ECO to expend the funds within the ECO budget.

Policy Impact Area: Ethics administration

Fiscal Impact: The bill transfers \$142,509 from the Office of General Counsel/Ethics Office account to a yet-to-be-determined account to fund the newly created Office of Ethics, Compliance and Oversight (ECO).

Analyst: Clements

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Bill Type and Number: Ordinance 2012-86

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 342.110, Ordinance Code, to establish a new category of Marine Specialty Contractor relative to contractors whose practice and scope of work involves all aspects of marine contracting. Required workers' compensation and general liability insurance is to be maintained, including the provisions of the Longshore and Harbor Workers' Compensation Act. It is made unlawful for a person to engage in the business of a Marine Contractor who does not hold a valid contractor certificate issued by the Construction Trades Qualifying Board (CTQB) in that category or in the category of a certified or registered general, building, or residential contractor. The CTQB is permitted to establish a certificate of competency classification and certify persons in that classification; adopt rules, including the requirement for examination, proof of at least 4 years of practical experience, and payment of a fee; issue a certificate of competency upon an applicant's passing with a grade of 75 or above both the trade examination and Contractor Administration Examination; and, issue a certificate of competency without examination provided it can be verified the individual has at least 4 years of experience in marine contracting as of June 30, 2012, with application for this grandfather provision to be made no later than that date.

Background Information: Information from the CTQB states that there has been a Marine Specialty License requirement at the state level since 2007, but that there was little enforcement prior to late 2010. The Florida Dept. of Business and Professional Regulation has begun to aggressively enforce the licensing requirements, and local marine contractors have been cited, potentially putting them out of business.

Policy Impact Area: Construction Trades Regulations

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-87

Introducer/Sponsor: Council President at the Request of the Sheriff

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Appropriation

Bill Summary: This bill appropriates \$70,000 from the U. S. Department of Justice pursuant to the Edward Byrne Memorial Justice Assistance Grant Program for the Dual Authentication Project. Provision is made for the carryover of appropriated funds to the 2012-2013 fiscal year. There is no local match, and the grant period ends September 30, 2012.

Background Information: The Dual Authentication Project provides enhanced security for all Jacksonville Sheriff's Office computer equipment, in compliance with federal mandates.

Policy Impact Area: Office of the Sheriff

Fiscal Impact: Undetermined; \$70,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-88

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Appropriation; authorization of grant agreement; designation of oversight department

Bill Summary: The bill appropriates a total of \$1,115,585.10 (comprising a Federal Emergency Management Agency grant of \$1,004,026.59 and private local match of \$111,558.51) to provide for the acquisition and demolition of two residences as part of the FEMA repetitive flood damage mitigation program. The bill authorizes execution of a subgrant agreement between the City and the Florida Division of Emergency Management for receipt of the funds and designates the Fire and Rescue Department as the oversight agency for the project.

Background Information: The local match to the federal grant will be provided by the homeowners of 5138 Martha Ann Drive (\$45,201.97) and 5180 Martha Ann Drive (\$66,356.54). The properties have sustained repetitive flooding, and the City will enter into an agreement with the owners to acquire the property, demolish structures and slabs, and remove associated debris. The FEMA program provides funding to reduce and/or eliminate the long-term risk of flood damage to repetitive loss structures and will further reduce claims under the National Flood Insurance Program, supporting the City's standing in the Community Rating System and the Local Mitigation Strategy for floodplain and mitigation management.

Policy Impact Area: Fire and Rescue-Emergency Preparedness; Public Safety; Floodplain Management

Fiscal Impact: The bill appropriates a total of \$1,115,585.10, comprising a Federal Emergency Management Agency grant of \$1,004,026.59 and private local match of \$111,558.51.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-89

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; TEU

Date of Analysis: February 17, 2012

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$540,000 in grant funds under the 2008 Disaster Recovery Program to the City of Jacksonville to the McCoy's Creek Pond D Project, such funds having been appropriated in error to the McCoy's Creek Pond C Project under Ordinance 2010-438-E, and correcting the project name within the former appropriation under Ordinance 2010-438-E, as initiated by B.T. 12-037; provides a carryover of funds to Fiscal Year 2012-2013; amends the 2012-2016 Five-Year Capital Improvement Program, approved by Ordinance 2011-406-E, to appropriate to the project entitled "McCoy's Creek Pond D" the funds appropriated in error to the project entitled "McCoy's Creek Pond C."

Background Information: NOTE: There appears to be a problem with this bill that may require an amendment in the Committee proceedings. This ordinance references a McCoy's Creek Pond project in previous Ordinance 2010-438-E. 2010-438-E appropriated \$504,116 to retrofit five Public Works buildings with shutters on windows and doors to withstand powerful wind speeds, so is not the ordinance being corrected by this legislation. Ordinance 2012-89 appropriates \$540,000 to a McCoy's Creek Pond project.

Policy Impact: Public Works

Fiscal Impact: This ordinance appropriates \$540,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-90

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: February 17, 2012

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant. The ordinance appropriates \$299,992 in grant funding from the Department of Justice/Bureau of Justice Assistance to fund the Subcontractor's Agreement between River Region Human Services, Inc. and the Fourth Judicial Circuit Adult Drug Court so as to provide and enhance screening and assessment, outpatient, and residential treatment services to the Adult Drug Court, as initiated by B.T. 12-041; provides for a carryover of funds to Fiscal Year 2012-2013.

Background Information: The Adult Drug Court program reduces substance abuse, increases public safety and reduces criminal recidivism in Duval and Clay Counties that enhances offenders' likelihood of successful rehabilitation. This is a three (3) year grant from the U.S. Department of Justice.

Policy Impact: Fourth Circuit Court/Adult Drug Court

Fiscal Impact: The ordinance appropriates \$299,992.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-91

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: TEU; F; RCDPHS; JWW

Date of Analysis: February 17, 2012

Type of Action: Land Lease Renewal

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute all documents related to Goodby's Creek Park Boat Ramp and Accessory Dock Submerged Land Lease between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, such being a renewal of that agreement approved in Resolution 2002-599-A and renewed in Ordinance 2007-099-E, providing for a five (5) year term commencing November 27, 2011.

Background Information: Goodby's Creek is a tributary of the St. Johns River. The State of Florida has sovereignty over bodies of water within the State. The City is required to lease the use of the site. The renewal lease is effective November 27, 2011 through November 27, 2016. This submerged land lease authorizes the City to operate a public boat ramp and two accessory docks at this location exclusively to be used for launching and loading of recreational vessels in conjunction with an upland park, without fueling facilities, with a sewage pump out facility, and without liveboards. The Board of Trustees of the Internal Improvement Trust fund of the State of Florida is the Florida Cabinet officers (Governor, Lieutenant Governor, Attorney-General, Chief Financial Officer and Commissioner of Agriculture and Consumer Affairs). Goodby's Creek is located in Council District 5 (San Jose Boulevard at Baymeadows Road).

Policy Impact: Boating/Parks & Recreation Department

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-92

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: February 17, 2012

Type of Action: Authorization for Agreement

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, the Construction & Maintenance Agreement for the project entitled "Improvements along Claire Lane from SR 13 to the East End of Walmart Property."

Background Information: The Florida Department of Transportation is undertaking the project for road improvements on Claire Lane in Mandarin (Council District 6) that will benefit the City of Jacksonville. The improvements are along Claire Lane from State Road 13 (San Jose Boulevard) to the east end of the Wal-Mart property. The improvement project includes design, right-of-way permits, construction and other activities. Upon completion of the improvements, the City shall own, operate, maintain and repair the improvement.

Policy Impact: Public Works

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-93

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: TEU

Date of Analysis: February 17, 2012

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims a portion of Saltzman Terrace, an unopened and unimproved right-of-way in Council District 2, created by dedication to Duval County on the to the plat thereof recorded in Plat Book 19, Page 68 of the current public records of Duval County, Florida, at the request of Avi Avni so as to allow him to expand and clear the title to the residential property, subject to reservation of an easement over the closed right-of-way for ingress and egress and for all utilities.

Background Information: This request has been sent to the various municipal agencies which might have an interest in this matter. There were no objections. The applicants have paid the \$1,500.00 application fee. There are no additional adjacent property owners in this plat. "All Utilities Easement" will be reserved in the name of JEA and the City of Jacksonville.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Applicants have paid a non-refundable application fee in the amount of \$1,500.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-94

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: TEU

Date of Analysis: February 17, 2012

Type of Action: Rights-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims Lawrence Avenue, Foster Avenue and Drake Avenue, unopened and unimproved rights-of-way located near the intersection of 1st Street and McDuff Avenue in Council District 9, established via Plat Book 11, Page 27 of the current public records of Duval County, Florida, at the request of Jacksonville Alliance for KIPP Schools, Inc. so as to allow for the expansion of its charter school facilities.

Background Information: The present rights-of-way that this ordinance closes are not used. There is no infrastructure in the rights-of-way and there is no anticipation of future need. There are no additional adjacent property owners. The applicant (Jacksonville Alliance for KIPP Schools, Inc.) has paid a \$4,500.00 processing fee (non-refundable); the closure request has been sent to the various municipal agencies which might have an interest in this matter and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: A non-refundable rights-of-way closure application fee in the amount of \$4,500.00 has been paid by the applicant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-95

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Adoption of Art In Public Places 5-year plan

Bill Summary: The bill approves and adopts the revised Art in Public Places Program's (APPP) Five Year Plan for Program Development and Implementation as required by Sec. 126.905(a) of the Ordinance Code.

Background Information: The City's first APPP Five Year Plan was approved by the Cultural Council in 2007. Sec. 126.905(a) of the Ordinance Code requires that the plan be updated every 5 years and be approved by City Council before becoming effective. The Cultural Council recommends to following substantive changes in the plan:

- Insert language referring to the meaning and value of public art as it relates to public access, community engagement and quality of life;
- Update the Mission and Values Statement to summarize the current and relevant goals and ambitions of the APPP Committee and the Cultural Council of Greater Jacksonville as they relate to how public art can be meaningful and lasting for the City;
- Expand a project initiative called New Directions which seeks to increase awareness and appreciation of Jacksonville's public art by means of a college internship program, a smartphone app cataloging the City's public art collection, use of the Main Street Park as a site for temporary art installations, creating a downtown outdoor sculpture exhibition, identifying buildings for a mural program, and encouraging best practice goals and guidelines for procuring and displaying art for City projects; and
- Including images of 27 works of public art acquired for the City's collection in the plan.

Policy Impact Area: Art In Public Places

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2012-96

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

Date of Introduction: February 14, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: February 17, 2012

Type of Action: Covenant Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Declaration of Restrictive Covenant between the City of Jacksonville and the Florida Department of Environmental Protection (FDEP) for the property known as the New Kings Railroad Overpass Pond Site located on New Kings Road, RE# 084140-0010, so as to place environmental restrictions on the site.

Background Information: Arsenic contamination was discovered on this site during the construction of a stormwater pond that is part of the construction of a new 6-lane bridge overpass to carry US Route 1 over CSX railroad tracks just south of 45th Street. This is a Better Jacksonville Plan project. The Declaration restricts the use of the property to commercial/industrial uses and prohibits the subdivision of the site into parcels smaller than ½ acre without prior written approval from FDEP. The Declaration allows the construction project to move forward with the restrictions. The following uses of the property are prohibited: recreational uses, residential, educational uses, parks, gardens or camps. The site is located in Council District 10.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-97

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Appropriation

Bill Summary: This bill appropriates \$66,666.67 (\$50,000 from the Federal Emergency Management Agency (FEMA) through the Florida Division of Emergency Management and a 25% match in the amount of \$16,666.67 from the property owner) to reinstate and increase the budget for the Clark's Fish Camp Flood Mitigation Assistance Program (FMAP) Project. Provision is made for the carryover of appropriated funds into the 2012-2013 fiscal year. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute necessary documents, including the Modification Four to Subgrant Agreement between the Division of Emergency Management and the City, and to take further action to effectuate the purposes of this ordinance. It is required that the Jacksonville Fire and Rescue Department oversee the project.

Background Information: The bill states that the City is reinstating the FMAP contract to reimburse Ms. Joan Peoples, the property owner, with FEMA grant funding for eligible project expenses incurred in the elevation of the food and beverage storage area of the restaurant at 12903 Hood Landing Road.

Policy Impact Area: Flood Mitigation; Emergency Preparedness

Fiscal Impact: Undetermined; \$66,666.67 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-98

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: February 14, 2012

Committee(s) of Reference: LUZ

Date of Analysis: February 16, 2012

Type of Action: Development Agreement Amendment Approval

Bill Summary: This bill approves the first amendment to the development agreement with Park North Investments, LLC, as assigned to ProLogis, a Maryland real estate investment trust. Authorization is given for the Mayor and Corporation Secretary to execute the document.

Background Information: The development, known as ProLogis Park West: 1st Amendment, consists of approximately 25.07 acres located on the west side of New Kings Road between Harrell Street and Bowie Road. The requested amendment provides a modified legal description to reduce the acreage from approximately 52.91 acres to approximately 25.07 acres and remove the completed Parcel B from the development agreement, provides a modified site plan, and extends the duration of the agreement an additional five years to October 21, 2017. Further, the performance schedule is revised.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-99

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: February 14, 2012

Committee(s) of Reference: LUZ

Date of Analysis: February 16, 2012

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Carl E. Stoudemire, III, on behalf of the Stoudemire Family Trust and Bruner E. Davis. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development to be known as Trout River Warehouse Park, consisting of approximately 18.19 acres located on Trout River Boulevard between U.S. 1 and Interstate 295. Plans are for 270,000 square feet of high cube warehouse uses, and the agreement is made subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-101

Introducer/Sponsor(s): TEU Committee

Date of Introduction: February 14, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Amendment of fair share contract

Bill Summary: The bill approves a second amendment to the fair share agreement between the City and Signature Land, Inc. for the improvement of Duval Road between Main Street and Airport Center Drive to extend the completion deadline by two years, to increase the developer's credit for the improvement of Duval Road to a total of \$14,212,307 and to allow for the transfer of credit throughout the applicable mobility zone

Background Information: This road construction project by Signature Land, Inc. results from the consolidation of several pre-existing fair share agreements into one project in which the developer will widen Duval Road to 4 lanes and receive fair share credits for the cost of the project. The developer's original cost was projected to be \$11.9 million. The developer has stated that the City's adoption of the mobility fee waiver in October 2011 has impacted its ability to recoup its costs of building the improvement as developers on the Northside no longer need to pay a fair share or mobility fee during the period of the moratorium. As a result of this devaluation, the developer proposes to complete construction of Phase 1 of the Duval Road project (from Airport Center Drive to Owens Road) by June of 2013 and requests an extension of the deadline for Phase 2 of the project (Owens Road to North Main Street) by 2 years to June 2015, by which time the mobility fee moratorium will have expired and developers will be able to pay Signature Land for use of its accrued credits. The original fair share agreements and first amendment required that the fair share credits be used within a 2-mile radius of Duval Road. This second amendment will permit use of the credits throughout the applicable mobility zone.

Policy Impact Area: Fair share contracts

Fiscal Impact: The bill authorizes an increase in the amount of the developer's credit for road construction costs from \$11.9 million to \$14.2 million.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-102

Introducer/Sponsor(s): TEU Committee

Date of Introduction: February 14, 2012

Committee(s) of Reference: F, RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Amendment of fair share contract

Bill Summary: The bill approves a first amendment to the fair share contract between the City and Lem Turner Road Developers, LLC to extend the duration of the contract for the Thomas Creek mixed-use residential/commercial project for an additional 5 years and to modify the uses permitted within the development.

Background Information: The Thomas Creek fair share agreement was approved in 2004 and provided capacity for construction of up to 2,295 single family homes, 300 townhouses and up to 200,000 square feet of commercial space on 1,087 acres at the southwest corner of Lem Turner Road and Pace Road. Subsequently the City approved a Thomas Creek Regional Activity Center which authorized the developer to develop up to 4,900,000 square feet of light industrial space, 672 dwelling units, 93,114 square feet of office space and 26,136 of commercial sales and service space. The developer requests that the fair share contract be amended to match the uses permitted by the Regional Activity Center legislation, and that the build-out date be extended by 5 years from 2014 to 2019 due to the economic slowdown of the past several years.

Policy Impact Area: Fair share assessment contract

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2012-103

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 15, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Roland N.C. Udenze as a member of the Art in Public Places Committee, replacing Mai Dinh Keisling as a Planning District #2 community representative, for a first term ending December 31, 2014.

Background Information: The Art in Public Places Committee is established pursuant to Chapter 126, *Ordinance Code*, and charged to choose art which is compatible with and which will enhance the architecture and general environment of the City; responsible for receiving, reviewing and acting on the recommendations of the Art Selection Panels; seek to ensure that at least 15% of the artists selected for purchase or commission will be resident(s) in the Greater Jacksonville area (Duval, St. Johns, Nassau, Clay and Baker Counties); also encourage the selection of regional artists e.g. Florida and the Southeastern United States. Section 126.903, *Ordinance Code*, provides that the members of the committee are appointed by the Mayor, with five of the members representing the community at large, each residing within a different planning district.

Mr. Udenze received a bachelor's degree in architecture from the University of Louisiana and is a Florida licensed Architect. He is employed with the *Haskell Company* as a Division Leader. Mr. Udenze also currently serves on the Downtown Development Review Board and has previously served on the Downtown Development Authority. He resides in the Arlington Hills area within Council District #1 (Planning District #2).

NOTE: Upon confirmation, Mr. Udenze may need to resign from the Downtown Development Review Board to prevent a possible "Dual Office Holding" conflict.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-104

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Kim Glasgal as a member of the Duval County Election Advisory Panel, replacing Patricia Sher, for a partial term ending April 16, 2013.

Background Information: The Duval County Election Advisory Panel is established pursuant to Chapter 59, *Ordinance Code*, and charged to study and make recommendations to the Supervisor of Elections to increase the quality of voter registration and education efforts; study and make recommendations to the Supervisor of Elections to enhance the voter's election-day experience, including poll worker training, polling locations, ballot styles, and fraud prevention; evaluate and recommend improvements on the election effectiveness, including number of overvotes, undervotes and spoiled ballots, voter complaints, and voter turnout; review and comment on ballot styles, instructions and absentee ballot appearance; and make an annual report to Council on progress, including an incorporation of any statistics, charts, studies, reports, or other data and materials generated.

Section 59.103, *Ordinance Code*, provides that the members of the Duval County Election Advisory Panel shall be Duval County registered voters and three of the members shall be designated by the Mayor and confirmed by the City Council.

Ms. Glasgal received a degree in computer science from Cornell University and is the Technology Coordinator with *Martin J. Gottlieb Day School*. She resides in the Mandarin area within Council District #6.

Policy Impact Area: Duval County Election Advisory Panel operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-105

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Walette M. Stanford, as a member of the Jacksonville Human Rights Commission, filling the slot formerly held by Angel "Dan" Principe for a first term ending December 31, 2013.

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 20 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.

Ms. Stanford received a master's degree in business administration from Nova Southeastern University and is the Director of Emerging Workforce Strategies with *JEA*. She resides in the Sandlewood area within Council District #2.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-106

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Sherry L. Murray, as a member of the Jacksonville Human Rights Commission, filling the slot formerly held by J. Allen Wilkes for a first full three-year term ending December 31, 2014.

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 20 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.

Ms. Murray received a bachelor's degree in English and is an active community volunteer. She resides in the Beauclerc area within Council District #6.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-107

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Sidney E. Wells as a member of the Construction Trades Qualifying Board, as a private citizen representative, for a second three-year term ending September 30, 2013.

Background Information: The Construction Trades Qualifying Board is established pursuant to Chapter 62, *Ordinance Code*, and charged to administer Chapter 342; ensure that an applicant for any certificate meets the qualifications provided by law; provide for the preparation, administration and grading of examinations; decide questions of definition and interpretation of the scope of work of the various construction trades covered; make recommendations to the Council for amendment to ordinances it is required to administer; and provide a continuous study of the different trades and crafts regulated and recommend the regulation of additional trades or crafts as may be determined to protect the public health, safety and welfare. Section 62.101, *Ordinance Code*, provides that each member of the board shall reside in Duval County and three of the members shall be citizens not associated with the construction industry.

Mr. Wells received a master's degree in electrical and computer engineering from Duke University and is the Chief Operating Officer with *Dana Safety Supply*. He resides in the Deerwood area within Council District #13.

Policy Impact Area: Construction Trades Qualifying Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-108

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of William C. Bulgin, as a member of the Jacksonville Human Rights Commission, for a second full three-year term ending December 31, 2014.

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 20 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. Bulgin received a bachelor's degree in finance and marketing from Florida State University and is a Financial Advisor / Portfolio Manager with *Morgan Stanley Smith Barney*. He resides in the Riverside area within Council District #14.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-116

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 16, 2012

Type of Action: Support for legislative J-bill

Bill Summary: The bill expresses the City's support for legislative bill J-1 which would amend City Charter Article 22 – Jacksonville Police and Fire Pension Board of Trustees – to change the composition of the pension board of trustees by eliminating the trustee position elected by the other four trustees and replacing it with a third trustee appointed by the City Council.

Background Information: The PFPF board of trustees is currently comprised of two members appointed by City Council, one member elected by majority vote of the police officers who are a member of the fund, one member elected by majority vote of the firefighters who are a member of the fund, and a fifth member elected by the other four trustees. This bill, if approved by the Legislature, would provide for the City Council to appoint three of the five members of the board. The board is responsible for investing the assets of the PFPF; for determining individual members' pension benefits by making findings of fact about individual applications and applying those facts to the plan's benefit structure; for commissioning the required audits and actuarial studies; and for hiring the pension's administrative staff.

Policy Impact Area: Pension board composition

Fiscal Impact: None

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2012-117

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Gregory W. Pease as the Chief of Procurement within the Intra-Governmental Services Department.

Background Information: Section 23.302, *Ordinance Code*, provides that the Chief shall have a bachelor's degree or higher from an accredited college or university and at least five years of experience in an administrative or executive position as purchasing agent for a business, corporation, governmental body or other commensurate training and experience.

Mr. Pease received a bachelor's degree in criminology from the University of North Florida. He has been employed with the City of Jacksonville since 2000, working his way up from Administrative Assistant Senior in Public Works to Operations Manager in Administrative Services, a position he held until his appointment as the Acting Chief of Procurement in 2011.

Policy Impact Area: Intra-Governmental Services Department / Procurement Division operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$69,250 - \$113,062 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2012-118

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Twane L. Duckworth as the Risk Manager within the Finance Department.

Background Information: Section 24.402, *Ordinance Code*, provides that the Risk Manager shall have a bachelor's degree or higher from an accredited college or university in business, insurance, and/or risk management or a law degree and at least five year's experience in insurance and risk management activities, including workers compensation, automobile and general liability matters, at a professional level.

Mr. Duckworth received a law degree from Georgetown University. He has been employed with the City of Jacksonville since 2009 as an Assistant General Counsel. He was previously employed as an Assistant Attorney General with the *Office of Attorney General* and as a Program Analyst with the *Department of Consumer and Regulatory Affairs*, both in Washington, D.C.

Policy Impact Area: Finance Department / Risk Management Division operations

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

Analyst: Welsh

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Bill Type and Number: Resolution 2012-119

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Usha Mohan as the Chief of Information Technologies / Chief Information Officer within the Intra-Governmental Services Department.

Background Information: Section 23.402, *Ordinance Code*, provides that the Chief shall have a bachelor's degree or higher from an accredited institution and five or more years of progressively responsible related experience in information technology, systems, strategic planning and project management or any equivalent combination of education, experience and training that provides the required knowledge, skills and abilities.

Ms. Mohan received a bachelor's degree in electrical and electronics from Anna University in Madras, India. She was employed as a Senior Director for Service Technology with *Blue Cross Blue Shield of Florida* (2010-2011). Her previous work includes Advanced Analytics Management Consultation with *Blue Cross*, President with *INDOUS Chamber of Commerce of NE FL*, and founding and leadership positions with *IxReveal, Inc.*

Policy Impact Area: Intra-Governmental Services Department / Information Technologies Division operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$101,751 - \$166,125 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2012-120

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of James R. Schock, PE, CBO, as the Chief of Building Inspection within the Planning and Development Department.

Background Information: Section 30.602, *Ordinance Code*, provides that the Chief shall be a Florida registered Professional Engineer and shall have had at least ten years of experience or the equivalent as an architect, engineer, inspector, contractor or superintendent of construction, or any combination of these, five years of which shall have been in responsible charge of work.

Mr. Schock received a bachelor's degree in civil engineering from Drexel University and is a Florida licensed Professional Engineer, Building Code Administrator, Standard Inspector, and Standard Plans Examiner. He serves on the Florida Building Commission and has been employed with the City of Jacksonville since 1996, working his way up to Building Inspections Manager in 1998, a position he held until his appointment as the Acting Chief of Building Inspection in 2011. Mr. Schock resides in St. Johns County.

Policy Impact Area: Planning and Development Department / Building Inspection Division operations

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

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2012-121

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Kelley J. Boree as the Director of Parks and Recreation.

Background Information: Section 28.102, *Ordinance Code*, provides that the Director shall have a bachelor's degree or higher from an accredited college or university and at least five years of progressively responsible experience in a management or executive position.

Ms. Boree received a bachelor's degree in business administration from William Woods College and has been employed with the City of Jacksonville since 2003. She was appointed as the Preservation Project Chief in 2006, and as Deputy Director of the Parks, Recreation, Entertainment & Conservation Department (now known as Parks and Recreation) in 2006, a position she has held until her appointment as the Acting Director in 2011.

Policy Impact Area: Parks and Recreation Department operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$101,751 - \$166,125 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2012-122

Sponsor: Council President Joost

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment

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

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

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

Policy Impact Area: Northeast Florida Regional Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2012-125

Sponsor: Council Members Gulliford and Daniels

Date of Introduction: February 14, 2012

Committee(s) of Reference: RCDPHS

Date of Analysis: February 17, 2012

Type of Action: Expression of Council Sentiment

Bill Summary: This Council resolution urges local tobacco product retailers to refrain from marketing and/or selling flavored tobacco products; to eliminate any self-service display or placement of any tobacco product, candy-flavored tobacco product, or smoking pipe and smoking device, by means of any self-service display or placement, or by any means other than vendor-assisted sales.

Background Information: Tobacco is the leading cause of preventable death in both the United States and in the State of Florida; 90 percent of tobacco users are smoking or using other tobacco products before their 18th birthday. The tobacco industry is directly responsible for young people experimenting with tobacco products through the advertising and promotional activities of the tobacco industry. Increasingly, tobacco products are fruit flavored. This resolution implores local retailers of tobacco products to cease marketing and selling flavored tobacco products to persons under the age of 18.

Policy Impact: Public Health

Fiscal Impact: Minimal

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2012-126

Introducer/Sponsor(s): Council President at the request of the Jacksonville Health Facilities Authority

Date of Introduction: February 14, 2012

Committee(s) of Reference: R, F

Date of Analysis: February 16, 2012

Type of Action: Approving issuance of hospital facility revenue bonds; Ordinance Code waiver

Bill Summary: The bill authorizes the sale of up to \$100,000,000 of Jacksonville Health Facilities Revenue Bonds for the benefit of Southern Baptist Hospital of Florida, Inc. The bill waives the requirement of Ordinance Code Section 490.108 which requires that the bonds be rated at least Baa (Moody's) or BBB (Standard and Poor's) before sale, and authorizes the bonds to be sold by private placement with an accredited investor as defined by U.S. Securities and Exchange Commission regulations.

Background Information: Baptist Hospital plans to use the proceeds of the bond issue to finance capital improvements and equipment acquisition for the new tower at the downtown hospital and for various Baptist Hospital outpatient clinics, the Baptist Beaches Medical Center and the Baptist South Medical Center.

Policy Impact Area: Hospital improvement financing.

Fiscal Impact: None to City; debt service on the bonds is the sole responsibility of the borrower.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-127

Introducer/Sponsor: Council Member Holt

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Ordinance Repeal; Appropriation; CIP Amendment

Bill Summary: This bill repeals Ordinance 2011-693-E to correct the appropriation amount and the account number. It instead appropriates \$299,595 for development of a passive recreational access facility for Sal Taylor Creek Preserve at 5873 Nathan Hale Road. The Department of Parks and Recreation is given oversight of the expenditure of the funds, and the Capital Improvement Program is amended concerning the Sal Taylor Creek Preserve Amenities project.

Background Information: The recreational facility is to include restrooms, stand-alone picnic table and grill, ADA paved parking space, and necessary supporting amenities such as a well, electricity, drainfield, and connecting sidewalks.

Policy Impact Area: Facility Mitigation-Trailridge Landfill; Parks and Recreation

Fiscal Impact: Undetermined; \$299,595 is appropriated by this ordinance

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2012-128

Introducer/Sponsor: Council Member Brown

Date of Introduction: February 14, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: February 16, 2012

Type of Action: Appropriation; Property Purchase Approval; Reverter

Bill Summary: This bill appropriates \$125,000 from an Old Kings Road Landfill Mitigation account to provide funding for the purchase and closing costs of property located along the 2800 block of Hamilton Circle between Longleaf Street and Vernon Road, adjacent to Scott Park. The property purchase is approved, and the Mayor and Corporation Secretary are authorized to execute necessary documents. Any remaining funds from those authorized by 2011-694-E or this legislation after the completion of the property purchase are to be returned to the source of origin.

Background Information: The property is being purchased for a future parking lot and sports facility. Ordinance 2011-694-E appropriated \$15,000 for the appraisal, survey, and environmental study; however, the costs were approximately \$5,000, leaving a balance of \$10,000.

Policy Impact Area: Landfill Mitigation; Parks and Recreation; Real Estate

Fiscal Impact: Undetermined; \$125,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2012-129

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

Date of Introduction: February 14, 2012

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

Date of Analysis: February 16, 2012

Type of Action: Authorizing purchase and land swap agreement; recognizing Ordinance Code exemption

Bill Summary: The bill authorizes the execution of a purchase and land swap agreement between the City and the JEA regarding real property at Cecil Commerce Center. The bill recognizes the Ordinance Code's existing exemption from the typical property disposal requirements for land that is being sold to another governmental agency and for Cecil Commerce Center land sales when such sales are approved by a Council ordinance.

Background Information: The JEA plans to install an electric substation and additional overhead transmission lines to meet the future electricity demands of the Westside. The preferred sites for the facilities are on the City's Cecil Commerce Center property. The JEA proposes to purchase 2 parcels totaling 35.61 acres in fee simple and numerous easement rights from the City and to swap another JEA-owned parcel of 16.97 acres. The total value of the City-owned parcels and easements is \$4,060,400; the value of the JEA-owned parcel is \$1,187,900. At closing of the land swap the JEA would pay the City the difference of \$2,872,500. The Ordinance Code specifies methods for disposing of real property, most of which require a competitive process. The Code does provide 7 specific exceptions to the usual disposal methods, two of which are 1) property being sold to another governmental entity, of which the JEA is one, and 2) property being sold at Cecil Commerce Center when such sales are approved by a City Council ordinance.

Policy Impact Area: Cecil Commerce Center management; utility expansion

Fiscal Impact: The JEA will convey to the City a parcel of property appraised at \$1,187,900 and pay \$2,872,500 in cash for two fee simple parcels and numerous easements.

Analyst: Clements

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Bill Type and Number: Resolution 2012-130

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Brian E. Clarke as the Ombudsman for the Equal Business Opportunity Office.

Background Information: Section 55.106, *Ordinance Code*, provides that the Equal Business Opportunity Office shall employ the "Ombudsman". Mr. Clarke received a law degree from the University of Florida and has been a Mediator since 2008.

Policy Impact Area: Equal Business Opportunity Office operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$62,858 - \$105,844 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2012-131

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 14, 2012

Committee(s) of Reference: R

Date of Analysis: February 13, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Elaine D. Spencer as the Chief of the Housing and Community Development Division within the Neighborhoods Department.

Background Information: Section 35.702, *Ordinance Code*, provides that the Chief shall have a bachelor's degree or higher from an accredited college or university and at least five years of experience in affordable housing or in community planning, and have proven administrative experience.

Ms. Spencer received a master's degree in communications from Xavier University and is the Jacksonville Director for the U.S. Department of Housing and Urban Development.

Policy Impact Area: Neighborhoods Department / Jacksonville Housing and Community Development Division operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$94,214 - \$153,819 annually.

Analyst: Welsh