

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-74

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

Date of Introduction: February 8, 2011

Committee(s) of Reference: LUZ

Date of Analysis: February 10, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 656 – Zoning Code – in Part 12 – Landscape and Tree Protection Regulations – to require Florida-friendly landscape practices and irrigation design standards for new single-family residential development. The amendment includes a provision that irrigation systems must be designed to use the lowest quality water feasible. Single family residential lots will be allowed to reduce the size of the mandatory Low Water Use Zones by an amount equal to the reduction in the size of High Water Use Zones on the property. The new regulations require that all new single-family developments must submit a landscape and irrigation plan prior to the issuance of any building or paving permit, which may be either a plan specific to each lot in the development or a standard plan applicable to all lots.

Background Information: The Florida-friendly landscape and irrigation standards already apply to all types of development in Jacksonville except for single-family residential development. The bill provides that the standards would apply to new single-family developments platted after an as-yet unspecified date in 2011 (to be determined by City Council before final adoption). The net effect of the low-water/high-water offset provision would allow a lot to be landscaped entirely with low-water and medium-water plants (including several varieties of turf grass) in exchange for elimination of high-water plants.

Policy Impact Area: Water conservation; development regulation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-75

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: February 8, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: February 11, 2011

Type of Action: Appropriation; Agreement Authorization

Bill Summary: The ordinance appropriates \$252,453 from the United States Department of Homeland Security, with no local match, for the purchase of identified equipment in gaps relevant to chemical, biological, radiological, nuclear and high-yield explosive (CBRNE) response capabilities for JSO Specialty response Teams in anti-terrorism operations, as initiated by B.T. 11-042; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, the Federally-Funded Subgrant Agreement between the City and the State of Florida, Division of Emergency Management.

Background: The Sheriff's Office has identified specific needs for equipment that will enable response teams to meet the threats posed by CBRNE capacities. Funding provided by this appropriation enables JSO to fill those identifiable gaps. The grant period is October 1, 2009 through April 30, 2012.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$252,453 in federal grant funds, with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-76

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 8, 2011

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

Date of Analysis: February 11, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates, pursuant to Ordinance 2007-286-E, \$745,359.45 (\$486,623.88 from Nuisance Abatement Assessment, \$51,442.36 from Interest Sanitary Assessment, \$42,230.90 from Demolition Assessment, and \$165,062.31 from Code Violation Fines) to the Nuisance Abatement Lien Special Revenue Fund to provide funding for nuisance abatement contracting city-wide and compliance with Chapter 518 (Jacksonville Property Safety and Maintenance Code), *Ordinance Code*, as initiated by B.T. 11-044; the ordinance provides for a carryover of funds to Fiscal Year 2011-2012.

Background: Ordinance 2007-286-E made changes in Part 2 of Chapter 518 (Property Safety & Maintenance Code), *Ordinance Code*, provided that collected funds are to be deposited into a new Nuisance Abatement Lien Special Revenue Fund; created a new class of offenses; established a Nuisance Abatement Lien Special Revenue Fund as a permanent Housing & Neighborhood Department fund, specifying that fund use be limited to paying for the abatement of nuisances. This ordinance appropriates funds to the Nuisance Abatement Lien Special Revenue Fund to provide funding for nuisance abatement contracting city-wide for compliance of Chapter 518.

Policy Impact: Environmental & Compliance/Municipal Code Compliance

Fiscal Impact: The ordinance appropriates \$745,359.45

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-77

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 8, 2011

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

Date of Analysis: February 11, 2011

Type of Action: Appropriation

Bill Summary: The ordinance concerns a continuation grant; the bill appropriates \$110,245 from the U.S. Department of Homeland Security, through the State Homeland Security Grant Program, to provide funding to enhance preparedness, response, recovery and mitigation initiatives for City response agencies, as initiated by B.T. 11-045.

Background: The funds appropriated by this legislation will be utilized to implement planning, training and exercise initiatives.

Policy Impact: Jacksonville Fire & Rescue Department

Fiscal Impact: The ordinance appropriates \$110,245 in a federal grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-78

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: February 8, 2011

Committee(s) of Reference: LUZ

Date of Analysis: February 10, 2011

Type of Action: Approval of sign waiver

Bill Summary: The bill would approve an application by M.T. Productions in Jacksonville, Inc. for waivers of the City's sign regulations with regard to setback and distance between signs for a property on Wonderwood Drive between Mayport Road and Hanna Park.

Background Information: The bill would grant a waiver on minimum sign setback from the required 10 feet to 4 feet for an existing pole sign at 657 Wonderwood Drive. The bill would also grant a waiver of the minimum distance between signs from a minimum of 200 feet to 100 feet to allow the addition of a second sign (a roof sign) within 100 feet of the pole sign.

Policy Impact Area: Sign code waivers

Fiscal Impact: Minimal

Analyst: Clements

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Bill Type and Number: Ordinance 2011-79

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: February 8, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: February 11, 2011

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$15,000 from the U. S. Department of Justice, with no local match, to provide funding to purchase a work assist vehicle (WAV), which will enhance the safety and efficiency of the Property and Evidence Warehouse, as initiated by B.T. 11-046.

Background: Crime evidence is stored in big, heavy bins on shelves at the warehouse. To decrease the difficulties and danger of climbing to reach the bins, the work assist vehicle retrieves materials from the shelves.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: This ordinance appropriates \$15,000 in a federal grant with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-80

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: February 8, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: February 11, 2011

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$106,845 from the U.S. Department of Justice, with no local match, to purchase a print workstation which will allow JSO immediate access to the Florida Department of Law Enforcement database, as initiated by B.T. 11-047.

Background: Acquisition of this equipment further improves the Jacksonville Sheriff's Office to reduce crime; the capacity to retrieve information on criminal activity and background is a significant component in the crime reduction operations.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$106,845 with no local match required.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-81

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: February 8, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: February 11, 2011

Type of Action: Appropriation; Position Authorization

Bill Summary: The ordinance concerns a continuation grant; the ordinance appropriates \$71,217 from the U.S. Department of Justice, with no local match, to provide a fourth year of funding for the Beaches Analyst Project, as initiated by B.T.-048; the ordinance authorizes Public Safety Analyst Position as initiated by R.C. 11-127.

Background: The Public Safety Analyst enables the Jacksonville Sheriff's Office to share crime analysis information with the various police organizations at the Beaches.

Policy Impact: Office of the Sheriff/JSO

Fiscal Impact: The ordinance appropriates \$71,217 in a federal grant with no local match requirement.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-82

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 8, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: February 11, 2011

Type of Action: Appropriation; Agreement Authorization

Bill Summary: The ordinance appropriates \$266,107.80 (a \$199,580.85 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance Program, through the State of Florida Department of Community Affairs, and \$66,526.95 in matching funds from the property owner) to provide funding for the acquisition and demolition of a repeatedly flooded and damaged property at 6906 Bakersfield Drive as part of the Flood Mitigation Assistance Program, as initiated by B.T.-050; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Federally-Funded Subgrant Agreement between the City of Jacksonville and the State of Florida Division of Emergency Management.

Background: This mitigation grant program provides funding to reduce and/or eliminate the long-term risk of flood damage in the City's floodplain along Wills Branch Creek. The program will further reduce claims under the National Flood Insurance Program and support the City's rating through the Community Rating System. This project is contained within the Duval County Local Mitigation Strategy to address the hazard of impacts from flooding associated with tropical storms and hurricanes. The 25% of non-Federal matching funds in the amount of \$66,526.95 is to be furnished by the property owner, Gerald Kowalski. The site, 6906 Bakersfield Drive, is located in Hyde Grove Acres, Council District 12.

Policy Impact: Flood hazard mitigation

Fiscal Impact: The ordinance appropriates \$266,107.80 in a federal grant coupled with matching funds from property owner.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-83

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

Date of Introduction: February 8, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Reauthorizing employee position; designating oversight agency

Bill Summary: The bill reauthorizes the position of Community Emergency Response Team Coordinator as a grant-funded position within Fire and Rescue Department's Emergency Preparedness Division and designates the division as the oversight agency for the grant.

Background Information: The bill reauthorizes a continuing position funded 100% by a federal Department of Homeland Security Urban Area Security Initiative continuing grant with no local match.

Policy Impact Area: Emergency preparedness

Fiscal Impact: The bill reauthorizes a 100% grant-funded position with a salary range of \$31,986 to \$60,233.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-84

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

Date of Introduction: February 8, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Authorization for establishment of restrictive covenant on land use

Bill Summary: The bill authorizes the Mayor to execute a Declaration of Restrictive Covenant among the City, the Florida Department of Environmental Protection and the City of Jacksonville Beach to place use restrictions on the use of the former Jacksonville Beach Mosquito Control facility at 508 10th Street South. The covenant is required to be filed in the public record and to run with the ownership of the property until released by FDEP after target contamination cleanup levels have been reached.

Background Information: The property is the site of a former mosquito control building originally owned by the City of Jacksonville Beach and later conveyed to the City of Jacksonville. In the early 1990s the site was found to contain buried drums of hazardous chemicals which were removed along with more than 850 tons of contaminated soil during a remediation operation; however some contamination remains at the site and in the groundwater. The restrictive covenant will prevent the drilling of any water wells on the site and prohibit the construction of stormwater swales, ponds or other water detention facilities on the site,

Policy Impact Area: Environmental protection

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-86

Introducer/Sponsor(s): Council President at the request of the Jacksonville Economic Development Commission

Date of Introduction: February 10, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Authorization of economic development agreement; commitment to fund QTI incentive; designation of oversight agency; authorization to execute agreement and make minor technical changes.

Bill Summary: The bill authorizes execution of an economic development agreement between the City and Pittsburgh Logistics Systems, Inc. (PLS) in support of the location of a super-regional headquarters in Jacksonville. The bill expresses the City's support for the company's application for a Qualified Targeted Industry (QTI) tax refund incentive from the state, and commits the City to pay up to \$60,000 of a \$300,000 QTI incentive in consideration of the creation of 100 new jobs. The JEDC is designated as the oversight agency for the contract and is authorized to make minor technical changes or amendments to the agreement documents that do not substantively affect the agreement.

Background Information: PLS, a logistics management and freight coordination company, pledges to create 100 new full-time equivalent jobs paying an average salary and benefits package of \$45,564 by December 31, 2013. PLS plans to create a freight handling facility in the city which will involve a \$1.1 million investment in leasehold improvements, equipment, furniture, fixtures and technology. The company is deciding between locations in Jacksonville and Dallas for the establishment of its first super-regional headquarters.

Policy Impact Area: Economic development

Fiscal Impact: The bill commits the City to pay \$60,000 as a match to the state's \$240,000 QTI grant for a total incentive of \$300,000 or \$3,000 per job for 100 new jobs.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-87

Introducer/Sponsor(s): Council President at the request of the Jacksonville Economic Development Commission

Date of Introduction: February 8, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Authorization of economic redevelopment agreement; authorization and appropriation of historic preservation grant agreement; designation of oversight agency; waiver of economic development policy

Bill Summary: The bill authorizes an economic redevelopment agreement among the City, JEDC and the Jacksonville Historical Society, Inc. for purchase and preservation of two historic buildings at 318 Palmetto Street adjacent to Jacksonville Veteran's Memorial Arena. The bill authorizes and appropriates a grant of up to \$250,000 from the City's Historic Preservation Trust Fund to the Historical Society to assist in funding the purchase of the buildings and designates the JEDC as the oversight agency for the grant. The bill waives several provisions of the City's Public Investment Policy for the project, including the requirement that a project have prior approval from the Historic Preservation Division of the Florida Planning and Community Development Department, that the project score at least 10 points on the downtown objective of the JEDC project evaluation matrix, that the amount of City assistance be no more than 20% of the proposed private capital investment, that grants comprise no more than 50% of the City's project assistance, that grant funds can only be used for exterior rehabilitation and restoration, and that the amount of the grant assistance be determined by the project's score on the project evaluation matrix.

Background Information: The Jacksonville Historical Society has requested grant assistance to help with the purchase and rehabilitation of the old St. Luke's Hospital Building (1878) and the Florida Casket Company (1882) building at the corner of Palmetto Street and Duval Street in East Jacksonville to expand the historic center that is already developing in the area with the Historical Society headquarters in the Old St. Andrews church and the adjacent Merrill House museum. The new space would provide facilities for the society's archives, a genealogy research center, and space for exhibits on the history of Jacksonville and Northeast Florida. The purchase price for the land and two buildings is \$575,000, with renovation costs for the two buildings estimated to be an additional \$1,250,000. The society will raise private funds for the balance of the project costs.

Policy Impact Area: Historic preservation

Fiscal Impact: Appropriates \$250,000 from the Historic Preservation Trust Fund for purchase and restoration of the buildings.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-88

Introducer/Sponsor(s): Council Member Jones

Date of Introduction: February 8, 2011

Committee(s) of Reference: R, TEU

Date of Analysis: February 10, 2011

Type of Action: establishing honorary street naming designation; Ordinance Code waiver; request for emergency action

Bill Summary: The bill gives an honorary street name designation to the portion of Riverside Avenue between Leila Street and Alfred DuPont Place in honor *Florida Times-Union* reporter Jessie-Lynne Kerr, and authorizes the installation of two roadway markers bearing her name. The bill waives the provision of the Ordinance Code that prohibits the honorary designation of roadways until at least 5 years after the death of the honoree and requests emergency approval

Background Information: Jessie-Lynne Kerr has been a newspaper reporter for 50 years, the last 47 of which for the *Florida Times-Union* in a variety of capacities, including as a ground-breaking female court reporter. In recent years Ms. Kerr has battled cancer and has written a moving first-person account of her experiences for the newspaper. Private funds have been pledged to pay the cost of erecting the honorary designation signs.

Policy Impact Area: Honorary street name designation

Fiscal Impact: Anticipated to be minimal; private donations have been pledged to pay for placement of the signs.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-89

Sponsor: Council Member Reggie Brown:

Date of Introduction: February 8, 2011

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

Date of Analysis: February 11, 2011

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$30,000 from the Special Council Operating Contingency Fund to provide funding for the City of Jacksonville's 2012 Martin Luther King, Jr. Parade; providing for a carryover; providing for Recreation and Community Services Department oversight; providing for spending limitations.

Background: The Martin Luther King, Jr. parade is held in conjunction with the observance Martin Luther King, Jr. Day, a federal holiday marking the birthday of Dr. King. The campaign for a federal holiday in King's honor began soon after his assassination in 1968; President Ronald Reagan signed the holiday into law in 1983. The parade provides the City with an opportunity to honor Dr. King and his legacy. Numerous groups and organizations participate in the downtown parade. The Martin Luther King, Jr. Foundation, Inc. has been the sponsor of the annual Martin Luther King, Jr. Day parades. The current state of the economy has resulted in diminished funding for the parade. The Council deems the parade a worthwhile public service and contributes toward the costs of the annual function.

Policy Impact: Martin Luther King, Jr. Annual Parade/Recreation & Community Services Department

Fiscal Impact: This ordinance appropriates \$30,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-90

Sponsor: Council President Webb

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 3, 2011

Type of Action: Reappointment; Ordinance Code Waiver

Bill Summary: This bill reappoints Philip Elson to the Enterprise Zone Development Agency Board for a third four-year term ending December 31, 2014. Section 50.104, *Ordinance Code*, limiting members to two consecutive terms is waived.

Background Information: The Enterprise Zone Development Agency Board is established pursuant to Chapter 501, *Ordinance Code*, and Section 290.0056, *Florida Statutes*, and charged to assist in the development and implementation of the strategic plan; oversee and monitor the implementation of the strategic plan and make quarterly reports to Council; identify and recommend to Council ways to remove regulatory barriers; identify to Council the financial needs of, and local resources or assistance available to, eligible business in the zone; and manage the implementation of the Empowerment Zone Strategic Plan. Section 501.105, *Ordinance Code*, provides that the members of the board shall be appointed by the Council.

Mr. Elson received a bachelor's degree in biology from Illinois State University and is a Program Manager with *Aerostar Environmental Services, Inc.* He is the current Chair of the board and was initially appointed in 2001. Because of his environmental background and experience, staff has requested he Mr. Elson be reappointed for a third term. He resides in the South Riverside area within Council District #5.

Attendance: According to information provided by the staff for the Enterprise Zone Development Agency Board, Mr. Elson has attended 71% of the meetings since 2004.

	Meetings Attended	Meetings Held
2004	1	3
2005	10	11
2006	2	4
2007	1	3
2008	3	3
2009	2	4
2010	3	3
Total	22	31

Policy Impact Area: Enterprise Zone Development Agency Board Operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-91

Sponsor: Council President Webb

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 3, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Geoffrey A. Youngblood to the Public Service Grant Council, replacing Ronald Mallett, for a three-year term ending December 31, 2013.

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

Mr. Youngblood received a bachelor's degree from Conservative Theological University and is employed with *Tools For A Time, Inc.* He served on the 2009 Charter Revision Commission. Mr. Youngblood resides in the Julington Creek area within Council District #6.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-92

Sponsor: Council President Webb

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 3, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Joseph L. Hodgins to the Building Codes Adjustment Board, replacing Scott Griffin, for a first full term ending September 30, 2013.

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

Mr. Hodgins received a bachelor's degree in building construction from the University of North Florida and is a Certified Building Contractor. He is the President of *Interior Buildouts, Inc.* and resides in the Empire Point area within Council District #2.

Policy Impact Area: Building Codes Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-93

Sponsor: Council President Webb

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Michael D. Stewart to the Jacksonville International Airport (JIA) Area Redevelopment Agency Board, replacing Louis Myers as the representative for School Board District #4, for a first full term ending June 30, 2014.

Background Information: The JIA Area Redevelopment Agency Board is an advisory board to the Jacksonville Economic Development Commission. Per Ordinance 90-409-293, which created the board, the seven members are appointed by the Council, one each from the seven School Board districts.

Mr. Stewart received a bachelor's degree in civil engineering from Howard University and is the Director of External Affairs with the *Jacksonville Aviation Authority*. He has previously served on the Construction Trades Qualifying Board. Mr. Stewart resides in the Highlands area within Council District #8 (School Board District #4).

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-94

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of John A. Fischer, AIA as a member of the Downtown Development Review Board, replacing Rose Marie Zurawski as an architect representative, for an unexpired term ending June 30, 2012.

Background Information: The Downtown Development Review Board is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including architect.

Mr. Fischer received a bachelor's degree in architecture from Kent State University and is a licensed architect and interior designer. He is the Director of Business Development with *Danis Construction* and resides in the Baymeadows area within Council District #4.

Policy Impact Area: Downtown Development Review Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-95

Sponsor: Council President at the request of the Urban Core CPAC

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Urban Core Citizen's Planning Advisory Committee's appointment of Gregory K. Radlinski to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Louvenia Tippins, for a first full term ending June 30, 2013.

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; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council. Mr. Radlinski received a law degree from the University of Oregon and retired from the *City of Jacksonville* Office of the General Counsel. He resides in the Downtown area within Council District #4 (Urban Core Planning District).

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-96

Sponsor: Council President Webb

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Edward J. Fleming, Jr., to the Jacksonville Waterways Commission, for a second three-year term ending March 10, 2014.

Background Information: The Jacksonville Waterways Commission is established pursuant to Chapter 95, *Ordinance Code*, and charged to study and make recommendations to the Council with respect to the improvement, development and protection of the St. Johns River and all tidal waters in Duval County; formulate an overall plan for dealing with any problems that exist concerning the St. Johns River; devise methods of developing future uses of the St. Johns River; serve as the Duval County committee to review rules proposed by the Florida Fish and Wildlife Conservation Commission governing speed and operation of motorboats to protect manatees; advise governmental units and the public concerning the improvement, development and protection of the St. Johns River; and act as a coordinating agency for programs and activities affecting the improvement, development and protection of the St. Johns River. Section 95.103(c), *Ordinance Code*, provides that nine of the members of the commission shall be members of the general public appointed by the Council.

Mr. Fleming received a bachelor's degree in business administration from Jacksonville University and is the President/CEO of *Atlantic Marine Holding Co., LLC*. He resides in the Empire Point area within Council District #2.

Attendance: According to information provided by Legislative Services, Mr. Fleming has attended 63% of the commission meetings since his appointment in 2008.

	Meetings Attended	Meetings Held
2008	4	7
2009	8	11
2010	7	12
	19	30

Policy Impact Area: Jacksonville Waterways Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-97

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Michele L.A. Rollins, as a member of the Jacksonville Human Rights Commission, for a three-year 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. Rollins received a law degree from the University of Georgia and is a licensed Real Estate Sales Associate. She is President of *L.A. & Associates PR, Inc.*, located in Jacksonville, and resides in St. Johns County.

NOTE: As Ms. Rollins' initial term, via 2010-156-A, was for less than 50% of a full three-year term, this bill may need to be amended to reflect appointment to a **first full term**.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-98

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Michael S. Wachholz, as a member of the Jacksonville Human Rights Commission, for a second three-year 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.

Mr. Wachholz received a law degree from the University Florida and is the Chief Operating Officer with *Beeline.com, Inc.* 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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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-99

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Cristina "Tina" Comstock, as a member of the Jacksonville Human Rights Commission, for a second three-year 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. Comstock received a bachelor's degree in business from the De La Salle University in the Philippines and is an Economic Specialist with the *Florida Department of Children and Families*. She resides in the Woodmere area within Council District #1.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-100

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 8, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Maxene L. Gillman as a member of the Construction Trades Qualifying Board, as a citizen representative, for a second 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 by Chapter 342; 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 by Chapter 342 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.

Ms. Gillman is a licensed Real Estate Broker with Magnolia Properties and resides in Jacksonville Beach.

Policy Impact Area: Construction Trades Qualifying Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-101

Introducer/Sponsor(s): Council Member Corrigan

Date of Introduction: February 8, 2011

Committee(s) of Reference: R, RCD

Date of Analysis: February 10, 2011

Type of Action: Petition to Governor and Florida Legislature; request for emergency action

Bill Summary: The bill urges the Governor and Florida Legislature to repeal the recently imposed cap on Housing Trust Fund allocations and to appropriate the full revenues of the trust fund for the originally intended purpose of assisting in the provision of affordable housing. The bill directs the Council Secretary to forward copies of the resolution to the Governor, House and Senate leadership and the Duval Delegation, and requests emergency action on the bill.

Background Information: In 1992 the Legislature passed the William E. Sadowski Affordable Housing Act which allocated a portion of the documentary stamp tax on real estate transactions to a trust fund to be allocated for affordable housing purposes. In 2007 in response to budget difficulties the state placed a cap on the amount of stamp tax revenue that would be deposited into the fund of \$243 million per year and diverted the remaining funds (between \$150 million and \$300 million, depending on the real estate market each year) to the state General Fund budget. Governor Scott's newly-released budget proposes to do away with the Housing Trust Fund entirely. Emergency action is requested so that the City's position can be transmitted to Tallahassee before the state budget debate begins in earnest.

Policy Impact Area: Affordable housing funding

Fiscal Impact: Undetermined

Analyst: Clements

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

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-102

Introducer/Sponsor(s): Council Member Corrigan

Date of Introduction: February 8, 2011

Committee(s) of Reference: R

Date of Analysis: February 10, 2011

Type of Action: Petition to Governor and Florida Legislature; request for emergency action

Bill Summary: The bill urges the Governor and Florida Legislature not to close any of Florida's state parks in the upcoming fiscal year in order to preserve the access of Floridians to their natural and cultural heritage resources and to preserve the employment and tourism economic impacts those parks provide. Emergency action is requested on the bill in order to make the City's position known to the Legislature during the ongoing budget debate.

Background Information: The Florida Department of Environmental Protection recently released a list of 53 least-visited state parks which may be subject to closure as a means of helping to reduce the state's impending budget deficit for FY11-12. The list included two parks in Jacksonville – Pumpkin Hill Creek Preserve State Park and Ft. George Island Cultural State Park.

Policy Impact Area: Recreational and cultural resource access; tourism promotion

Fiscal Impact: Undetermined; according to news reports the closure of all 53 parks statewide would save \$6.5 million for FY11-12.

Analyst: Clements

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-106

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

Date of Introduction: February 8, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Approval of housing bond refinancing subject to conditions; request for emergency action

Bill Summary: The bill authorizes the owners of the Kendall Court Apartments and the Lindsey Terrace Apartments in Jacksonville to pursue refinancing of existing housing assistance loans through a bond issue by the Wisconsin Public Finance Authority (PFA) upon proof of satisfaction of certain conditions. The conditions are:

- That a contract, approved by the General Counsel, shall be in place relating to compliance monitoring of the existing terms and conditions for operation of the complexes;
- That the PFA's land use restrictions for the two complexes include at least the same requirements for provision of number of units and rental rates for affordable housing units as were previously required by the JHFA and PHA;
- That a \$1.5 million subordinate note provided by Vestcor to the JHFA with regard to the Lindsey Terrace project be modified to ensure Vestcor's continued compliance with its affordable housing obligations;
- That, prior to or on the date of issuance of bonds by the PFA, the JHFA and City of Jacksonville shall receive an opinion from an attorney licensed in Florida stating that the authorization of this transaction by the City is permitted under Florida law;
- That, prior to or on the date of issuance of bonds by the PFA, the JHFA and City of Jacksonville shall receive satisfactory confirmation that all required actions and approvals which may be required of the State of Florida or the Florida Housing Finance Corporation in connection with the refinancing of the Kendall Court Apartments have been accomplished;
- That Vestcor execute an agreement providing for the company's payment of the City's and JHFA's reasonable fees and costs, including third party fees and costs.

Background Information: Vestcor Properties owns the Kendall Court Apartments (10535 Lem Turner Road), the purchase of which was partially financed with a 1998 Florida Housing Finance Corporation bond issue, and the Lindsey Terrace Apartments (6455 Argyle Forest Boulevard), the purchase of which was partially financed with a Duval County Housing Finance Authority 2001 bond issue. The owner wishes to refinance the bonds and has found a lender in the Wisconsin Public Finance Authority. Wisconsin state law permits the Public Finance Authority to issue bonds for the benefit of projects in other states, provided the local government where the benefitting property is located gives its approval to the transaction. Vestcor requests that the City approve the issuance of the Wisconsin bonds to refund the outstanding debt on the two Florida bond issues.

Policy Impact Area: Affordable housing

Fiscal Impact: None to the City; the bonds do not constitute a liability of the City or the JHFA

Analyst: Clements

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

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-107

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

Date of Introduction: February 8, 2011

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

Date of Analysis: February 10, 2011

Type of Action: Amendment to prior ordinance; clarification of previously-approved mortgage and promissory not restructuring; request for emergency action

Bill Summary: The bill approves an amendment to Ordinance 2010-516-E (Madison Woods Apartment refinancing agreement) to incorporate a clause represented by the apartment owner to be a standard U.S. Department of Housing and Urban Development (HUD) requirement regarding a deed in lieu of foreclosure, which was omitted from the original documents because it was not known to be an issue at the time and was not discussed by the parties. Amendment of the loan documents to incorporate this change requires further authorization from City Council.

Background Information: In August 2010 the City approved a restructured loan agreement for the Madison Woods Apartment project, including an accelerated principal payment, a higher interest rate, payments based on project cash flow, and a lengthened term. The restructured loan documents omitted a condition represented by the project owner to be a standard U.S. HUD condition regarding conveyance of a deed in lieu of foreclosure should the project fail, which would have the effect of removing the City, which holds the second position on the loan, from being involved in the final settlement negotiations. Amendment of this condition requires Council approval to further amend the loan documents.

Policy Impact Area: Affordable housing

Fiscal Impact: Undetermined

Analyst: Clements