

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2015-1

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

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

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 20 – Executive Office of the Mayor – to add a new subsection to the mayoral transition provisions to require an outgoing mayor to transmit to the incoming mayor a document outlining the City’s current responsibilities and obligations for providing services to the Beaches cities and the Town of Baldwin pursuant to the various interlocal agreements between Jacksonville and those jurisdictions. The language requires the Mayor-elect to ensure that the appropriate personnel in the departments, divisions and offices within City government under the new administration are aware of their responsibilities under the interlocal agreements and for continuity of covered services.

Background Information: The Task Force on Consolidated Government heard testimony during its proceedings from the mayors and city managers of Atlantic Beach, Neptune Beach, Jacksonville Beach and the Town of Baldwin that those jurisdictions have experienced some problems with continuity of services covered by the terms of the interlocal agreements following Jacksonville’s mayoral elections. It appears that information about the City’s obligations under the agreements is not being sufficiently communicated between the outgoing and incoming administrations, and the managerial personnel of the new administration are unaware of, or at least not fully knowledgeable about, the interlocal agreements. This amendment is intended to codify the transfer of this piece of information from one administration to the next.

Policy Impact Area: Mayoral transitions; interlocal agreement operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-2

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, TEU

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 73 – Environmental Protection Board – to provide that the Board shall compile and distribute on an annual basis a report on water quality (drinking water, surface water and groundwater) in the city. The report shall be distributed to all CPACs and registered neighborhood organizations and shall be coded or in a searchable format so that citizens and organizations can easily locate information relevant to their particular neighborhood or area of town. The EPB is also required to report on incidents of chemical spills, water pollution, groundwater contamination or other health hazards known to the City Environmental Quality Division or the Florida Department of Environmental Quality. The reporting may take the form of posting the information on the City’s web site, through a specially-developed alert system, or through communication with local news media which can relay the information to the general public in the event of an emergency.

Background Information: During the course of its deliberations the Task Force on Consolidated Government learned that, while the state and City collect and compile a good deal of environmental and water quality information on a regular basis, that information is not easily available to the general public on anything less than a quarterly or annual basis, and when available is not easily searchable in a way that allows neighborhood organizations or interested citizens to pinpoint potential environmental hazards in their immediate vicinity. This amendment seeks to make environmental information, particularly information relating to incidents of water contamination, chemical spills, etc. that could have an immediate impact on public health and safety, more readily available in a way that informs the public immediately and effectively about such potential hazards.

Policy Impact Area: Public health and safety; data reporting

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2015-3

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, RCDPHS, Jacksonville Waterways Commission

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 95 – Jacksonville Waterways Commission – to direct the Council President to request that one member of the Planning Commission and one member of the Environmental Protection Board attend each meeting of the Waterways Commission to participate in the deliberations as subject matter experts.

Background Information: During the course of its deliberations the Task Force on Consolidated Government received suggestions that the value of the Jacksonville Waterways Commission's as an advisor to the City Council and Mayor on all matters relating to the City's waterways could be enhanced by an expansion of its access to environmental and planning-related expertise and by closer coordination of the City's various appointed boards and commissions when considering issues that may potentially impact on the City's waterways. This bill is intended to foster that greater communication and cooperation.

Policy Impact Area: Waterways Commission operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-4

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, F

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 106 – Budget and Accounting Code – to add a requirement that the Mayor certify in each quarterly financial statement that the departmental employee caps are accurate and comply with the budgetary allowance for each department.

Background Information: During the course of its deliberations the Task Force on Consolidated Government heard testimony that on occasion mayoral administrations have administratively transferred employees from one department to another which resulted in departments having more employees assigned to them than the Council-approved departmental employee authorization cap allows. Section 106.422 of the Budget and Accounting Code requires the administration to provide quarterly budget reports to the City Council not later than 30 days after the end of each fiscal quarter. This bill adds a requirement that the Mayor shall certify in each quarterly report that the number of employees assigned to each City department complies with the employee cap allocation established by City Council for each department in the annual budget ordinance.

Policy Impact Area: Employee cap compliance

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-5

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, F

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 128 – Risk Management – to require that the Risk Manager annually submit to the City Council the inventory of all City-owned properties maintained by the Risk Management Division. The bill also requires that the Risk Manager submit to the City Council the semi-annual risk assessments commissioned by the division when they are received.

Background Information: The Task Force on Consolidated Government during the course of its deliberations discussed the degree to which the City Council is aware of and has access to information collected and maintained by various City departments for a variety of purposes. The Governance and Management Committee felt that the Council members would find useful the information contained in the inventory of City-owned properties that the Risk Management Division maintains for the purpose of ensuring that all City properties are adequately insured, and also the semi-annual risk assessment report prepared by an outside consultant to advise the City on potential liability risks for its self-insurance purposes.

Policy Impact Area: Risk Management information

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-6

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: January 13, 2015

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

Date of Analysis: January 15, 2015

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 804 – Traffic Code – to provide that any person who violates the visibility obstruction provisions of the Traffic Code shall be guilty of a non-criminal offense that may be punishable either by the City as a Class A offense with a code enforcement civil penalty or punishable pursuant to state or federal law pertaining to the operation of vehicles. The bill also amends Ordinance Code Chapter 609 – Code Enforcement Citations – to add “obstruction visibility” as a listed Class A offense enforceable by citation by the Code Enforcement Division.

Background Information: Currently visibility obstruction offenses (i.e. bushes growing on private property in an intersection view zone) are enforced by the Sheriff’s Office issuing a traffic ticket. This bill would make such offenses punishable by means of a civil citation issued by Code Enforcement in addition to a JSO traffic ticket.

Policy Impact Area: Traffic Code enforcement

Fiscal Impact: Undetermined – there may be some additional revenue generated if the Code Enforcement Division issues more citations than the JSO currently issues for these violations.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-7

Introducer/Sponsor(s): Council Members Boyer and Gulliford

Date of Introduction: January 13, 2015

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

Date of Analysis: January 15, 2015

Type of Action: Council Rules amendment

Bill Summary: The bill amends Council Rule 2.102 – Standing Committee Duties – to provide that the Director of the Duval County Health Department or his/her designee shall be requested by the Council President to attend the meetings of the Council committee with jurisdiction over public health and safety issues to act as an advisor to the committee on health issues. The bill also amends Council Rule 3.102 – Preparation of Bills – to require that any legislation filed with the Council that approves or authorizes a contract, agreement, lease, easement or grant shall specify the department, agency, commission or other governmental entity of the City that will manage and oversee the contract or agreement.

Background Information: During the course of its deliberations the Task Force on Consolidated Government learned that at the outset of consolidation in 1968, the Duval County Health Department was a full-fledged City department and the Health Department Director was a City department head on par with the other City department directors. Over the last 30 years due to changes in state law the Health Department has evolved to its current quasi-state, quasi-local status, with the department's employees being state employees housed in City buildings and the Director being appointed by the Florida Surgeon General but confirmed by City Council. The Health Department director is no longer considered a City department head and does not regularly attend internal City meetings. The Task Force believes that the Health Department's expertise and advice should be better integrated into City operations for the benefit of the public's health and safety, which could be accomplished by having the Health Department Director attend the RCDPHS meeting as an ex officio advisory resource.

The Task Force also heard testimony that the City has difficulty in tracking and managing some of its contracts and agreements because the City lacks a comprehensive contract management system. The group recommended the Council Rules amendment as a means of assuring the assignment of contract management responsibility to a specific party at the outset of the contract.

Policy Impact Area: Health Department relation to City government; City contract management procedures

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2015-8

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: January 16, 2015

Type of Action: Appropriation; Approval of Letter of Understanding; Subgrant Agreement Approval

Bill Summary: The ordinance appropriates \$750,000 in State of Florida Department of Economic Opportunity (DEO) Disaster Recovery Initiative (DRI) funds to sub-recipient Jacksonville Housing Authority (JHA) for the roofing project at the Southwind Villas multi-family housing facility (the "project"), as initiated by B.T. 15-013; provides a carryover of funds to Fiscal year 2015-2016; it approves and authorizes the Mayor and Corporation Secretary to execute a Letter of Understanding between the City of Jacksonville and JHA; it approves and authorizes the Mayor and Corporation Secretary to execute the federally-funded Subgrant Agreement for the Disaster Recovery Initiative (DRI) supplemental funds between the City and DEO.

Background Information: The Southwind Villas Multi-Family Housing Facility is located at 8711 Newton Road in Council District 4. JHA will bid and construct the roofing repairs for the project and will receive reimbursement through the Letter of Understanding between the City and JHA.

Policy Impact: Jacksonville Housing Authority

Fiscal Impact: The ordinance appropriates \$750,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-9

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: January 15, 2015

Type of Action: Appropriation; carryover authorization; authorization to execute agreement

Bill Summary: The bill appropriates \$16,464 in Florida Department of Transportation grant funds (no City match) to fund a pedestrian and bicycle safety enforcement campaign, authorizes carry-over of the funds into FY15-16 and authorizes the execution of grant documents and contracts with the Sheriff's Office and the University of South Florida's Center for Urban Transportation Research.

Background Information: The FDOT grant, intended to support efforts that will help reduce the state's pedestrian and bicycle fatality rates, will provide funding to hire USF's Center for Urban Transportation Research to distribute safety educational materials, to engage the media in publicizing safety issues, and to conduct on-street education and enforcement activities including issuing warnings and /or citations to drivers, pedestrians and bicyclists observed violating traffic safety laws.

Policy Impact Area: Pedestrian and bicycle safety

Fiscal Impact: The bill appropriates a \$16,464 state grant with no local match required.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-10

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: January 15, 2015

Type of Action: Appropriation; carryover authorization

Bill Summary: The bill appropriates a \$382,500 U.S. Department of Homeland Security port security grant and a local match of \$127,500 from the Sheriff's Office federal forfeitures trust fund for the 2-year period from September 2014 through August 2016 and provides for carry-over of the funds to FY15-16.

Background Information: The grant will be used for two purposes: 1) to purchase a mission-ready bomb disposal unit transport truck to transport the bomb team and all its equipment to a bomb call, and 2) to purchase 3 marine sonar units to be used by the dive and marine units to do underwater security searches.

Policy Impact Area: Port security enhancement appropriates a \$382,500 U.S. Department of Homeland Security port security grant and a local match of \$127,500 from the Sheriff's Office federal forfeitures trust fund.

Fiscal Impact: The bill appropriates a \$382,500 U.S. Department of Homeland Security port security grant and a local match of \$127,500 from the Sheriff's Office federal forfeitures trust fund.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-11

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: January 13, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$24,956 in federal funds awarded by the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program, for the Jacksonville Re-Entry Center (JREC) Job Developer; and provides carryover of funds to FY 2015-2016.

Background Information: The grant did not require a local match and ends September 30, 2015. The funds cover the Job Developer's salary (\$23,183.46), payroll taxes (\$1,436.38), and Medicare taxes (\$336.16).

Policy Impact Area: Office of the Sheriff

Fiscal Impact: The appropriation of \$24,956 through B.T. 15-019.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-12

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: January 13, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: January 16, 2015

Type of Action: Appropriation; Position Authorization

Bill Summary: The ordinance appropriates \$53,650 in grant funding awarded by the U.S. Department of Justice pursuant to the Edward Byrne Memorial Justice Assistance Grant (JAG) program, with no local match, for the Fusion Center analyst, as initiated by B.T. 15-020; provides for a carryover of funds to Fiscal Year 2015-2016; authorizes a position, as initiated by R. C. 15-039.

Background Information: The Fusion Center Analyst Project was designed to analyze regional crime data, identify crime patterns, enhance homeland security analysis and develop crime bulletins for distribution to law enforcement agencies in the region. By identifying regional crime patterns that may otherwise go undetected, law enforcement officials feel the efforts will enhance the public safety of law enforcement agencies in the region. A Fusion Center Analyst, hired by the Jacksonville Sheriff's Office and funded by the grant appropriated by this legislation, provides functional support for all agencies by acting as a conduit for information sharing on cross-jurisdictional criminal activity and intelligence gathering.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates a federal grant in the amount of \$53,650.00 with no local match requirement.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-13

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: January 13, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$936,158.51 to provide funding to replace the failed portion of the double box culvert at Egrets Nest Drive near the Flagler Center Industrial Park; provides carryover of funds to FY 2015-2016; amends the 2015-2019 Five-Year Capital Improvement Plan to transfer funding; and provides for oversight by the Public Works Department.

Background Information: The failed portion of the double box culvert at Egrets Nest Drive is located near the Flagler Center Industrial Park, south of Old St. Augustine Road and east of I-95. Auld & White, Inc. provided an analysis of the culvert failure. It was determined that severe storm activity in September 2013 exceeded the culvert design parameters, thus causing catastrophic damage which resulted in closing two of the four travel lanes. The area has been stabilized but is in need of immediate attention to reopen the two travel lanes while ensuring minimization of further damage. The construction will include removal of pavement and existing drainage structures; and installing new roadway, sidewalks, landscaping, and box culvert installation.

The funds will be transferred from Mandarin Area Drainage project in the CIP plan to the Egrets Nest Drive Culvert Repair project. The deferral of this amendment until the next annual budget and CIP review is not in best interest of the community because of additional failure of pavement and curb settling.

Policy Impact Area: Public Works Department

Fiscal Impact: The appropriation of \$936,158.51 through B.T. 15-022.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-14

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

Date of Introduction: January 13, 2015

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

Date of Analysis: January 13, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$583,587.00 from the Northwest Jacksonville Economic Development Fund to First Coast No More Homeless Pets, Inc., a Florida Non Profit Corporation; provides a carryover of funds into FY 2015-2016; approves and authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver the Redevelopment Agreement between City of Jacksonville and Company; and waives certain fund project evaluation criteria approved and adopted by Ordinance 2007-281-E.

Background Information: The Northwest Jacksonville Economic Development Fund (NWJEDF) Advisory Committee reviewed and approved funding for First Coast No More Homeless Pets, Inc., in its November 18, 2014 meeting to acquire and renovate an existing property into a new veterinarian clinic and related facilities. The NWJEDF will provide \$400,000.00 through a loan and \$183,587.00 from grant funding. The property is located at 464 Cassat Avenue. This project will result in an additional 47 full time jobs within 36 months of project completion (in Northwest Jacksonville), and act as a catalyst for additional redevelopment in the area.

According to Ordinance 2007-281-E, NWJEDF guidelines require professional 3rd party underwriting. However, the newly constituted committee includes members with in-depth expertise and experience in financial review and underwriting of transactions in the commercial lending environment. Therefore, the committee established an Underwriting Subcommittee at the October 8, 2014 meeting for the purposes of reviewing and underwriting any NWJEDF request moving forward.

Policy Impact Area: Public Works Department

Fiscal Impact: The appropriation of \$583,587.00 through B.T. 15-026.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-15

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

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

Date of Analysis: January 16, 2015

Type of Action: Appropriation; Agreement Authorization; Ordinance Code Waiver

Bill Summary: The ordinance appropriates \$58,220 from the Northwest Jacksonville Economic Development Fund (NWJEDF) to provide a grant to HDW Partners II, Inc. to fund the required off-site infrastructure necessary for the development of a new 1,850 square foot Church's Chicken restaurant to be located at 1855 Dunn Avenue (the "project"), as initiated by B.T. 15-028; provides a carryover of funds into Fiscal Year 2015-2016; approves and authorizes the Mayor and Corporation Secretary to execute the Redevelopment Agreement between the City of Jacksonville and HDW Partners, Inc.; the ordinance waives certain NWJEDF project criteria approved and adopted by Ordinance 2007-281-E.

Background Information: The project will create 20 new full time jobs and 30 part time jobs within 36 months. The project will positively impact the City's tax base through both tangible personal property and ad valorem taxes. The waiver include a waiver of the 20% equity requirement; waiving the City's annual audit requirement due to the fact that infrastructure is what is being funded; waives the third party underwriting requirement because funding for this is not available at this time. In addition to the grant that this ordinance appropriates, the total private capital investment is in the amount of \$1,075,000. In the event that the developer fails to create 20 new full-time jobs within 36 months of completion of construction of the project, the developer will repay the City on the basis of \$2,911 per job below the 20-person new job creation requirement. The project site is located in Council District 8.

Policy Impact: Northwest Jacksonville Economic Development Fund

Fiscal Impact: The ordinance appropriates \$58,220 from the Northwest Jacksonville Economic Development Fund.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-28

Introducer/Sponsor(s): Council Member Brown

Date of Introduction: January 13, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: January 13, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates a total of \$74,413.00 from the Old Kings Road Landfill Mitigation account. The total will be divided up between James Fields Park (\$47,418.00) and J. Gardner Nip Sams Memorial Park (\$26,955.00). Additionally, the bill provides oversight by the Parks, Recreation and Community Services Department.

Background Information: Both parks are located in Council District 10. The funds for James Fields Park will cover installation of eleven new light poles and fixtures, playground equipment and mulch. The funds for J. Gardner Nip Sams Memorial Park will be used to install a batting cage to include a high chain link fence enclosure.

Policy Impact Area: Parks, Recreation, and Community Services Department

Fiscal Impact: The appropriation of \$74,413.00 from Solid Waste Class III Mitigation (JXSF446ER-38902).

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-29

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, TEU

Date of Analysis: January 13, 2015

Type of Action: Street Naming; Ordinance Code Amendment

Bill Summary: This bill approves renaming a section of Taylor Field Road which extends west from Longleaf Branch Road to a dead end in Council District 11; waives the requirements of Section 745.105(g), Ordinance Code; and directs the Legislative Services Division to forward Ordinance to the Planning and Development Department.

Background Information: Local law enforcement recently had difficulty locating a portion of the road during a call for assistance. Currently, there is no physical connection between the portion of Taylor Field Road accessed from Old Middleburg Road, and the portion accessed from a newly constructed internal street named Longbranch Drive within the Longleaf Subdivision. Section 745.105(g) requires street name changes for the entire length of street; however, waiving the requirements minimizes further delay in emergency services in locating this segment of Taylor Field Road which is in best interest of public safety.

The segment of "Taylor Field Road" which extends west from Longleaf Branch Road to a dead end will be renamed "Round House Road". There is no historical impact regarding the name change. All adjacent property owners and 13 affected property owners were properly notified of the decision to change the street name. No appeals were filed.

Policy Impact Area: Planning and Development Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-30

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU

Date of Analysis: January 16, 2015

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims a portion of Biarritz Street near its intersection with Sans Pareil Street, a 30 foot unopened and unimproved right-of-way established by plat in San Pareil, Plat Book 3, page 38, dated May 18, 1909, in the public records of Duval County, in Council District 3, at the request of D. R. Horton, Inc. (the "applicant") to allow applicant to combine the closed right-of-way with its abutting vacant property to construct a single-family residential development.

Background Information: The request for the right-of-way closure was sent to various state, municipal and utility agencies which might have an interest in this right-of-way and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$1,688.00 closure application processing fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-31

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU; F

Date of Analysis: January 16, 2015

Type of Action: Easement Approval

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute in accordance with Section 122.421 (B), *Ordinance Code*, a Temporary Easement granting to the Florida Department of Transportation a Temporary Construction Easement in, over and under a parcel of real property, Parcel 700, on Dillon Road between Otis Road and Motes Road in Council District 11 and needed for the replacement of Bridge #724049 at Dillon Road over Brandy Branch, together with all documentation necessary to convey said Temporary Construction Easement.

Background Information: Ordinance 2014-97-E authorized the "Construction and Maintenance Agreement" between the City and FDOT for the bridge replacement. The Temporary Construction Easement is for the purpose of tying in, harmonizing and resurfacing a portion of Dillon Road. The entire TCE is within right-of-way. The City Engineer has reviewed and approved this request.

Policy Impact: Public Works

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-32

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: TEU

Date of Analysis: January 13, 2015

Type of Action: Closure and Abandonment

Bill Summary: This bill closes and abandons a portion of a right-of-way for drainage adjacent to 9943 Beach Boulevard in Council District 2.

Background Information: The closure is requested to allow applicant, MRC Beach Property, LLC to expand parking at the site (R.E. #125010-0000). However, an unobstructed easement on, over, across, under, and through the northerly portion of the right-of-way, which runs east to west, for drainage will be reserved unto the City of Jacksonville.

The applicant has paid a \$1,688.00 closure application processing fee. The Drainage Section of the Public Works Department reviewed the request, inspected the site, and determined that closure of the right-of-way does not interfere with its function.

Policy Impact Area: Public Works Department

Fiscal Impact: Undetermined

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2015-33

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

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

Date of Analysis: January 16, 2015

Type of Action: Authorization for Lease Renewal

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver that certain Sovereignty Submerged Lands Fee Waived Lease Renewal (BOT File No. 160344942) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the operation of a one (1) – slip docking facility, without fueling facilities, to be used exclusively for the mooring of a tour vessel in conjunction with an upland public river taxi service in Fort George Inlet for a five-year term.

Background Information: The ordinance allows the City to execute a submerged land lease with the State of Florida at Alimicani Park. The submerged land is owned by the State of Florida. The City already has an existing dock at the site for a stop on a water taxi route. The National Parks Service intends to operate a water taxi route along the Timuquana, a route which includes Fort George Island. This site is located in Council District 11. Properties in this area are jointly owned by the City and State of Florida.

Policy Impact: Parks, Recreation and Community Services Department.

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-34

Introducer/Sponsor(s): Council President pursuant to Section 118.805, Ordinance Code

Date of Introduction: January 13, 2015

Committee(s) of Reference: F

Date of Analysis: January 13, 2015

Type of Action: Approval and Authorization

Bill Summary: This bill establishes the 2015-2016 the Priority Populations for Public Service Grant (PSG) appropriations; and approves and authorizes the 2016 Public Service Grant application.

Background Information: The 2015-2016 Priority Populations are:

- Homeless Persons and Families (35%)
- Low-income Persons and Families (40%)
- Adults with Physical, Mental and Behavioral Disabilities (20%)
- Low-income, Elderly and Homebound (5%)

The percentage represents the available funding allocate to the specific priority population. The recommendation of the PSG Council is to maintain the prior year populations but adjust the percentages to better align with funding requests from the 2015 fiscal year applications. Agencies that apply for or receive PSG funds must operate programs that tangibly affect and improve a Priority Population/Need. All requests go through an application and scoring process conducted by the Public Service Grant Council.

Policy Impact Area: Intra-Governmental Services Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Resolution 2015-35

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: LUZ

Date of Analysis: January 13, 2015

Type of Action: Resolution

Bill Summary: This resolution approves and adopts the determination of the Land Use and Zoning Committee decision regarding the appeal of a final decision issued by the Jacksonville Historic Preservation Commission to deny in part and approve in part application for Certificate of Appropriateness (COA-14-795) as requested by Christopher A. White, on behalf of Dr. Paul Monteiro.

Background Information: The Certificate of Appropriateness application (COA 14-795) was filed on October 22, 2014, requesting to replace 52 original windows with new windows and two doors for the property located at 3026 St. Johns Avenue in Council District 14. After the public hearing, the Jacksonville Historic Preservation Commission (JHPC) approved COA-14-795 with conditions to replace 4 windows and two doors in the Final Order dated November 24, 2014. The applicant filed a notice of appeal within 21 calendar days of the Final Order.

Policy Impact Area: Jacksonville Historic Preservation Commission

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Resolution 2015-36

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

Date of Introduction: January 13, 2015

Committee(s) of Reference: LUZ

Date of Analysis: January 13, 2015

Type of Action: Resolution

Bill Summary: This resolution approves and adopts the determination of the Land Use and Zoning Committee decision regarding the appeal of a final decision issued by the Planning Commission to approve with conditions a minor modifications application (MM-2014-27) as requested by James Island Homeowners Association; Marie and John Codogan; Lisa Thomas (Chamberlain); Kena Miller; Jamie Callahan; Richard Collier; Joann Romano; Martha Eisenacher; Krishna Venkatrama; John Ladogan and Stacey Calhoun on property located at 0 Gate Parkway in the Southwest Quadrant of Burnt Mill Road and Gate Parkway (R.E. No(S). 167747-4000).

Background Information: The minor modification application (MM-2014-27) would allow for a planned unit development to increase the allowable height on Parcel "A" from thirty-five (35) feet to sixty (60) feet. The Planning Commission approved application with a condition that structures on Parcel "A", the roof of the structure shall be no taller than forty-six (46) feet and the parapet shall be no taller than 4 feet for a combined total of fifty (50) feet in height. The Final Order was dated December 4, 2014. The applicant filed a notice of appeal in a timely manner.

Policy Impact Area: Planning Commission

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Resolution 2015-37

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

Committee(s) of Reference: F

Date of Analysis: January 16, 2015

Type of Action: Redevelopment Agreement Authorization; Grant Authorization; Ordinance Code Waiver

Bill Summary: The resolution approves and authorizes the execution of a Redevelopment Agreement ("Agreement") between the City of Jacksonville ("City") and Parkview Plaza Partners, LLC, a Florida Limited Liability Company ("company"); it authorizes the City to grant the company a Revenue Enhanced Value (REV) GRANT for 75% of the "Annual Project Revenues" (as defined in the Agreement) for a twenty (20) year period, not to exceed the amount of \$3,700,000.00, to support the construction of an approximately 150-room hotel at the corner of Forest Avenue and Magnolia Street (the "project"); it approves and authorizes the execution of documents and approves technical amendments by the Executive Director of the DIA; the ordinance waives the project's compliance with the Public Investment Policy adopted by Resolution 2006-119-A, as amended by Ordinance 2012-213-E.

Background Information: The proposed hotel facility will include 150 rooms and include a banquet space, food and beverage location and a fitness center. The City's Downtown Investment Authority has reviewed the application submitted by Parkview Plaza Partners; the CEO of the Downtown Investment Authority has negotiated the Redevelopment Agreement and has determined that the proposed project is in the public interest and will benefit the City. No funds will be expended until the year after the project is completed and property taxes have been assessed on the project. The REV grant will be funded out of the Northbank TIF Fund.

Policy Impact: Downtown Investment Authority

Fiscal Impact: The ordinance approves a Redevelopment Agreement that authorizes a REV Grant in the amount of \$3,700,000.

Analyst: Jackson

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Bill Type and Number: Resolution 2015-38

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 13, 2015

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

Date of Analysis: January 16, 2015

Type of Action: Authorization for Grants Application

Bill Summary: The resolution authorizes the Mayor to apply to the Florida Inland Navigation District (FIND) for 2015-2016 grants to undertake specified waterways-related projects; it authorizes the Mayor and Corporation Secretary to execute all grant agreements between the City and FIND; it acknowledges the City's willingness to meet funding requirements; provides for City oversight by the Department of Parks, Recreation and Community Services.

Background Information: FIND solicits grant applications from counties within its jurisdiction to undertake waterways-related projects. FIND grant applications must be accompanied by a resolution acknowledging a county's willingness to meet the matching funding requirements. The Parks & Recreation Department has compiled and recommends several grant projects for submission to FIND. The Jacksonville Waterways Commission, through its Subcommittee on FIND, has met and vetted the proposed projects and prioritized the projects, as well.

Policy Impact: Waterways

Fiscal Impact: The City anticipates a list of projects whose costs is estimated \$1.3 – 1.4 million.

Analyst: Jackson

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Bill Type and Number: Resolution 2015-39

Sponsor: Council President at the request of the State Attorney

Date of Introduction: January 13, 2015

Committee(s) of Reference: R

Date of Analysis: January 15, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the State Attorney's appointment of W. Marc Hardesty to the Jacksonville Ethics Commission, replacing L.E. Hutton, for a first full term.

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

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

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the State Attorney for the Fourth Judicial Circuit and confirmed by Council.

Mr. Hardesty received a law degree from Mercer University and is a partner with *Hardesty, Tyde, Green & Ashton, P.A.* He is also currently serving on the Library Board of Trustees and has previously served on the Planning Commission. Mr. Hardesty is a registered voter residing within Duval County.

NOTE: The term expiration date may need to be amended to **December 31, 2017**. Section 602.912(a), *Ordinance Code*, provides for **three-year terms** on the Ethics Commission. Further, as he may not simultaneously serve on both the Ethics Commission and the Library Board of Trustees, Mr. Hardesty will be deemed to have resigned from the Library Board upon passage of this legislation.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-40

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 13, 2015

Committee(s) of Reference: R

Date of Analysis: January 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of John D. Hirabayashi as a member of the JEA Board, replacing Mike Hightower, for an unexpired term ending February 28, 2015, followed by a first full four-year term ending February 28, 2019.

Background Information: The JEA is established pursuant to Article 21, *Jacksonville Municipal Charter*, and authorized to own, manage and operate a utilities system within and without the City of Jacksonville. The JEA is created for the express purpose of acquiring, constructing, operating, financing and otherwise have plenary authority with respect to electric, water, sewer, natural gas and such other utility systems as may be under its control now or in the future. Section 21.03(a), *Municipal Charter*, provides that the seven members of the JEA Board are to be city residents and electors appointed by the Mayor and confirmed by Council.

Mr. Hirabayashi received a master's degree in business administration from Virginia Polytechnic Institute and is the President and Chief Executive Officer of *Community First Credit Union of Florida*. He previously served on the Jacksonville Foreclosure Task Force. Mr. Hirabayashi is a registered voter residing in the Avondale area within Council District #14.

Policy Impact Area: JEA Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-41

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 13, 2015

Committee(s) of Reference: R

Date of Analysis: January 9, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Christopher D. Flagg as a member of the Art in Public Places Committee, replacing Brandon Choy as a Cultural Council representative, for an unexpired term ending December 31, 2015.

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; receive, review and act 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); and also encourage the selection of regional artists e.g. Florida and the Southeastern United States. Section 126.903, *Ordinance Code*, provides that the 11 members of the committee are appointed by the Mayor and confirmed by the Council, with three of the members representing the Cultural Council Board.

Mr. Flagg received a bachelor's degree in landscape architecture from Louisiana State University and is a registered landscape architect. He is member of the Cultural Council Board and has previously served on the Downtown Design Review Committee, Courthouse Architectural Review Committee, and Downtown Development Review Committee. Mr. Flagg is the President of *Flagg Design Studio, LLC* and resides in the Glynea/Grove Park area within Council District #4.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-42

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 13, 2015

Committee(s) of Reference: R

Date of Analysis: January 9, 2015

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Wesley Laine (Grissom) Gibbon, as a member of the Art in Public Places Committee, as an art professional, for a second three-year term ending December 31, 2017.

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; receive, review and act 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); and 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 three of the members from the professions of architecture, interior design, landscape architecture, planning, art professional, or art historian.

Ms. Gibbon received a bachelor's degree in art history from the University of North Florida and is an Associate Director at the *J. Johnson Gallery*. She resides in Neptune Beach within Council District #13.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-43

Introducer/Sponsor(s): Council Member Lee

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, F

Date of Analysis: January 13, 2015

Type of Action: Resolution

Bill Summary: This resolution authorizes the General Counsel and the Office of General Counsel to commence litigation to foreclose on City Code Enforcement Liens associated with the property located at 1054 West 13th Street.

Background Information: The property has accumulated numerous inspections and subsequent code violations over the years with the first Notice of Violation dated October 22, 2007. The code violations include but are not limited to a deteriorated, damaged or unsound porch, a leaking roof, an unsanitary bathtub and shower, numerous holes or cracks in the ceiling, insecure flooring, improper heating facility and holes and cracks in the walls. The City's Municipal Code Enforcement Special Magistrate entered an Order assessing a rolling fine in the amount of \$100 per day until violations were corrected. The Order was dated October 1, 2008 and was not appealed by owner, which deemed Order final.

The violations were corrected by the property owner, Fred Clark, on March 13, 2009, which resulted in the accrual of \$15,800.00 in penalties. According to Chapter 518, this amount is subject to foreclosure. The property was conveyed to Doris E. Davis by Fred Clark on September 2, 2014. Currently, there are additional encumbrances recorded as liens, judgments or mortgages against the property. Upon foreclosure, the City would inherit any previously recorded encumbrances, however foreclosure of the City's lien will help to eliminate blight in the surrounding area by allowing a foreclosure sale of the property, and creating a potential for redevelopment.

Policy Impact Area: Office of General Counsel, Regulatory Compliance Department, Planning and Development Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-50

Sponsor: Council President Yarborough:

Date of Introduction: January 13, 2015

Committee(s) of Reference: R; TEU

Date of Analysis: January 16, 2015

Type of Action: Honorary Street Designation

Bill Summary: The ordinance designates an honorary street designation on Monument Road extending from McCormick Road to Fort Caroline Road in Jacksonville for David Boynton; it provides for the installation of two honorary roadway markers to be located in appropriate locations on the designated roadway in Council District 1; the designation honors the legacy and recognizes the achievements of David Boynton; the ordinance waives the requirements of Section 745.105(e) (2), *Ordinance Code*, regarding persons after whom honorary street designations may be named; directs Legislative Services to forward the ordinance to the Planning and Development Department.

Background Information: David Boynton moved to Jacksonville in the 1980s to continue his career in the paper industry for more than 40 years. In 1992, Boynton joined Mac Papers as the first Director of Marketing. After retiring in 2006, Boynton became involved with the community and in 2007 created the Monument Road Beautification Group. The Monument Road Beautification Group consists of volunteers whose ultimate goal is to maintain and improve property values in Jacksonville. He is a leader and active member of the Hidden Hills Community Association Board of Directors. For 25 years, David Boynton has resided in the community located within five miles of monument Road. He has made an impact on the lives of numerous people. A private donor has provided funding to cover the costs of the roadway markers.

Policy Impact: Public Works Department

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-51

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, F

Date of Analysis: January 15, 2015

Type of Action: City Charter amendment; authorization for voter referendum

Bill Summary: The bill amends City Charter Article 6 - The Mayor – to insert a requirement that each mayor shall appoint a chief administrative officer who shall be responsible for overseeing the day-to-day operations of City government and all operating departments. The bill also amends City Charter Article 7 – Departments – to require that the mayor shall fill any vacancy in any department director's position within 60 days of such position becoming vacant and to establish education and experience requirements for the position of Director of the Finance Department. The bill directs the Supervisor of Elections to place the amendments on a referendum on the May 19, 2015 City election ballot for voter approval.

Background Information: During the course of its deliberations the Task Force on Consolidated Government learned that a position of Chief Administrative Officer existed in the City Charter at the time of consolidation but was removed by legislative action in 1971. Although every succeeding mayor has appointed a CAO, the Task Force felt the position was important enough to the operations of City government to be a mandated position in the charter and to merit a specific set of job qualifications and experience requirements. The Task Force also felt that the current Ordinance Code job qualifications for the Director of Finance (bachelor's degree from an accredited college and proven administrative experience in public or private sector financial institutions) needed amplification and added additional language regarding desirable educational and professional experience qualifications. The provisions regarding mandatory appointment of a CAO and the provisions regarding CFO qualifications would become effective upon a favorable vote in the May 2015 referendum.

Policy Impact Area: Managerial position qualifications

Fiscal Impact: None; the Supervisor of Elections projects no additional cost to add this referendum to the May ballot.

Analyst: Clements

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Bill Type and Number: Resolution 2015-52

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: January 13, 2015

Committee(s) of Reference: R, TEU

Date of Analysis: January 13, 2015

Type of Action: Resolution

Bill Summary: This resolution urges the City Council President to convene a committee to review the Kessler Transfer Station Feasibility Study; and requests a one-cycle emergency.

Background Information: Kessler Consulting Inc., conducted a transfer station feasibility study and determined future financial savings would come from utilizing Municipal Solid Waste Transfer Stations. The study details several opportunities for the City to quickly begin saving including direct hauling costs of franchise MSW haulers. The committee would review the study, make recommendations and negotiate a contract with vendor. The cost savings will begin the sooner the committee is constituted and completes tasks. with additional time begin seeing cost savings as soon as possible.

Policy Impact Area: Public Works Department

Fiscal Impact: Undetermined

Analyst: Mitchell