

**CITY COUNCIL RESEARCH DIVISION**  
LEGISLATIVE SUMMARY



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**Bill Type and Number:** Resolution 2007-784

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 26, 2007

**Type of Action:** Consideration of Appeal

**Bill Summary:** This bill adopts the recommended findings and conclusions of the Land Use and Zoning Committee concerning an address change for 9127 Fort Caroline Road/9205 Baker Tract Lane. It is stated that this resolution is the final action of the Council. Legislative Services is directed to mail a copy of the resolution to the appellant and any other parties testifying before the Land Use and Zoning Committee. Adoption is deemed to constitute a quasi-judicial action of the City Council.

**Background Information:** The 911 Emergency Addressing Advisory Committee determined that property owned by W. Alfred and Miriam K. Funchess currently located at 9127 Fort Caroline Road contains an out of sequence address number, and corrected this by reassigning a new address for the property to be named 9205 Baker Tract Lane. The property owners have appealed, and the Land Use and Zoning Committee has not yet considered the matter.

**Policy Impact Area:** Address Numbering; Public Safety

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-785

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** A grant of easement between the City of Jacksonville and JEA conveying to JEA from the Department of Parks, Recreation, Conservation and Entertainment a 10 foot wide easement over a parcel of real property.

**Bill Summary:** The bill grants an easement from the City of Jacksonville Department of Parks, Recreation, Conservation and Entertainment to JEA, conveying to JEA a 10 foot wide easement over a parcel of real property. This easement will run west from Hodges Boulevard for approx. 1,300 yards along the northerly boundary of the current JEA easement in Patton Park. This is widening the current JEA easement.

**Background Information:** This is real property from RE# 165284 0000, found in Council District 3, and its intent is to provide additional clearance distance for those future occasions of inclement weather when strong winds would blow power lines beyond the boundaries of the current easement.

**Policy Impact Area:** Utility easement grant

**Fiscal Impact:** Ten dollars.

**Analyst:** Stewart

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**Bill Type and Number:** Ordinance 2007-786

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$50,350 from 3 Federal grants to fund the Citizen Corps Program and Community Emergency Response Team (CERT) Program. The first 2 grants total \$23,200 from the U.S. Department of Homeland Security through the Division of Emergency Management of the Florida Department of Community Affairs, which begin July 1, 2007 and end September 30, 2008; the 3<sup>rd</sup> grant totals \$27,150 from the Reserve for Federal Programs. Combining these two amounts, the appropriation total equals \$50,350.

**Background Information:** The monies appropriated will provide funding for the position of Program Coordinator to manage the Citizen Corps Program and Community Emergency Response Team (CERT) Program. These funds will carryover from the 2006-2007 fiscal year. This position was initiated by B.T. 08-004, B.T. 08-005 AND R.C. 08-004.

**Policy Impact Area:** Citizen Corps Program and CERT Program.

**Fiscal Impact:** \$50,350 is appropriated from federal and state grant funds

**Analyst:** Stewart

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**Bill Type and Number:** Ordinance 2007-787

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Agreement Authorization; Exemption Evocation

**Bill Summary:** This bill approves and authorizes the Mayor and Corporation Secretary to execute an agreement between the City and Florida Community College at Jacksonville for continuing operation and joint use of the Jacksonville Fire Training Academy until such time as a new five-year agreement can be negotiated. The bill invokes the exemption of Section 126.107(F) (Exemptions), *Ordinance Code*.

**Background Information:** This agreement replaces the 1992 agreement, with the intent of renegotiating a new five year agreement to commence July 1, 2008. The contractual service with another government entity is exempt from competitive solicitation as provided for Section 126.107(f), *Ordinance Code*. \$55,000 had been previously appropriated for the legislation (in the budget).

**Policy Impact:** Jacksonville Fire and Rescue Department/Training Division

**Fiscal Impact:** None in this bill; \$55,000 had been previously appropriated (in F&R's budget).

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-788

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Conveyance Acceptance & Authorization

**Bill Summary:** This bill accepts and authorizes the Mayor and Corporation Secretary to execute necessary documents to accept the conveyance of the Northerly 25 feet of RE #158796-0000, a parcel on Oak Bluff Lane in Council District 6. This parcel is adjacent to two parcels previously accepted in Ordinance 2005-1178-E, from the State of Florida (grantor) to the City (grantee). The parcels are to be used for future improvements to Oak Bluff Lane.

**Background Information:** Approval of this particular acceptance would add to two previously conveyed parcels to be used for future improvements to Oak Bluff Lane.

**Policy Impact:** Public Works/Real Estate

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-789

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Agreement Authorization

**Bill Summary:** This bill approves and authorizes the Mayor to enter into a Participation Agreement between the City and Asutosh Group, LLC for the permitting and construction of storm water treatment facilities on Parcels 102 and 103 in the Fouraker/Cahoon Road project, in Council District 12.

**Background Information:** The City has a Better Jacksonville Plan roadway reconstruction project for Fouraker/Cahoon Road from Normandy Boulevard to Lenox Avenue which requires the construction of storm water facilities. Asutosh Group owns vacant adjacent land to a natural outfall and the Fouraker Road right-of-way and plans to build a subdivision with a storm water treatment facility. In recognition of their mutual interests and efforts, the City and Asutosh desire to enter into a Participation Agreement to permit and construct storm water treatment facilities upon property owned by the City.

**Policy Impact:** Public Works/Real Estate

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2007-790

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 26, 2007

**Type of Action:** Consideration of Appeal

**Bill Summary:** This bill adopts the recommended findings and conclusions of the Land Use and Zoning Committee concerning an address change for 2406 Division Street/2462 Susan Badger Circle. It is stated that this resolution is the final action of the Council. Legislative Services is directed to mail a copy of the resolution to the appellant and any other parties testifying before the Land Use and Zoning Committee. Adoption is deemed to constitute a quasi-judicial action of the City Council.

**Background Information:** The 911 Emergency Addressing Advisory Committee determined that property owned by Joyce C. Pollen currently located at 2406 Division Street contains an out of sequence address number, and corrected this by reassigning a new address for the property to be named 2462 Susan Badger Circle. The property owner has appealed, and the Land Use and Zoning Committee has not yet considered the matter.

**Policy Impact Area:** Address Numbering; Public Safety

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Resolution 2007-791

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Council President's reappointment of Council Member Kevin Hyde to the Prosperity Scholarship Fund Governing Council for a term concurrent with the term of the Council President.

**Background Information:** The Prosperity Scholarship Fund was established to provide college scholarships to financially challenged students with the requisite academic skills to enter and succeed in college. The bylaws and operating rules of the Fund's Governing Council provide for the Council President or designee as a member.

**Policy Impact Area:** Prosperity Scholarship Fund Governing Council operations

**Fiscal Impact:** None

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2007-792

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Robert A. Hays to the Industrial Technical Advisory Committee, as an industrial business representative, for a first full two-year term ending June 30, 2009.

**Background Information:** Ordinance 2007-776-E, enacted May 22, 2007, created the Industrial Technical Advisory Committee with seven members appointed by the Council, in various categories including representatives of industrial businesses. Mr. Hays received a master's degree in business administration from Jacksonville University and is the Capitol Division President of *Florida Rock Industries, Inc.* He resides on Fort George Island within Council District #11.

**Policy Impact Area:** Industrial Technical Advisory Committee operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-793

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Council President's appointment of Council Member Jay Jabour as a member of the Downtown Vision, Inc. board for a term concurrent with the term of the Council President.

**Background Information:** The bylaws for Downtown Vision, Inc. provide for the Council President or designee as a member of the Board of Directors.

**Policy Impact Area:** Downtown Vision, Inc. operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-794

**Sponsor:** Council Member Corrigan

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Charles K. Mann to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 14, for a second term ending June 30, 2009.

**Background Information:** Chapter 82, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members. Mr. Mann received a master's degree in business administration from Wayne State University and a master's degree in education from Clemson University. He is an active community volunteer, serving on his area CPAC and was previously appointed to the Small Business Advisory Commission. Mr. Mann resides in the Murray Hill area within Council District #14.

**Policy Impact Area:** Jacksonville-Duval County Council on Elder Affairs operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-795

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the reappointment of Council Member Art Shad as an ex-officio member of the Cultural Council and the Cultural Service Grant Committee, both for terms concurrent with the term of the Council President.

**Background Information:** The bylaws of the Cultural Council of Greater Jacksonville provide for the City Council President, or appointee, as an ex-officio member of the Board of Directors; and section 118.605, *Ordinance Code*, provides for a Council Member as an ex-officio member of the Cultural Service Grant Committee. Council Member Shad was originally appointed in 2003 and has served since then.

**Policy Impact Area:** Cultural Service Grant Program & Cultural Council of Greater Jacksonville

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-796

**Sponsor:** The Council President at the request of JEA:

**Date of Introduction:** July 24, 2008

**Committee(s) of Reference:** FI TEU

**Date of Analysis:** July 27, 2007

**Type of Action:** Approval of Bond Issuance/Appropriation

**Bill Summary:** This ordinance approves the issuance and sale by JEA of its Water and Sewer System Revenue Bonds or its Water and Sewer System Subordinated Indebtedness, or a combination of the two, in an amount not to exceed \$250,000,000, for the purpose of acquisition of additions, extensions and improvements to the Water and Sewer System of JEA. The legislation enters into certain covenants with JEA and debt holders; the bill provides that the debt instruments are limited obligations of JEA; the bill appropriates funds from the sale of such debt.

**Background Information:** JEA has requested the Council's approval of the sale of JEA bonds for the improvement and expansion of JEA operations. This bill approves the bonds issuance and appropriates the funds derived from the issuance and sale of the revenue bonds.

**Policy Impact:** JEA/Revenue Bond Issuance

**Fiscal Impact:** The bill appropriates the issuance of revenue bonds in an amount not to exceed \$250,000,000 and appropriates the proceeds of the sale of the bonds.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-797

**Sponsor:** Council President at the request of the JEA

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Approval of JEA bond issue

**Bill Summary:** The bill approves the issuance by the JEA of up to \$1 billion in electric system revenue bonds for the purpose of financing the acquisition and/or construction of additions, extensions and improvements to the utility's electric generating and distribution system. Debt service on the bonds is to be paid solely from the operating revenues of the JEA electric system. The bonds will be used to fund capital projects as outlined in JEA's 2006 Electric System Integrated Resource Plan, including the acquisition of new generating capacity.

**Background Information:** The City Charter requires the JEA to receive City Council approval before issuing bonds. Every few years the JEA requests a lump-sum authorization of bonding capacity from the Council to undertake projects that may arise over the next several years. The last authorization for issuance of electric system revenue bonds took place in May of 2005.

**Policy Impact Area:** JEA operations

**Fiscal Impact:** Authorizes the issuance of up to \$1 billion in JEA electric system revenue bonds

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-798

**Sponsor:** Council Member Corrigan

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Street Renaming; Ordinance Code Waiver

**Bill Summary:** This bill renames a portion of Barrs Street to Shircliff Way. To allow for this naming, Ordinance Code provisions requiring that a street not be given a name similar to another named street, and requiring the renaming of streets after persons who have been deceased for five years, are waived. Additionally, any other conflicting ordinance or rule is waived.

**NOTE:** Section 2 of the bill may need an amendment to reference the waiver of Section 745.105(e)(2), Ordinance Code, as this contains the street renaming requirement that the person has been deceased for at least five years.

**Background Information:** Robert T. Shircliff, the person being honored, is a successful business, civic, volunteer, philanthropic, religious, and family leader in the Jacksonville community, and a devoted supporter of the St. Vincent's Health Care System. The portion of Barrs Street being renamed is located between Riverside Avenue and the St. Johns River. Pursuant to Ordinance 2007-614-E, that portion of Barrs Street was closed and abandoned, and made a private roadway with easements for pedestrian traffic owned by St. Vincent's Medical Center, Inc. By virtue of that same ordinance, this privatized portion of Barrs Street can be renamed at the pleasure of St. Vincent's Medical Center, Inc., with the approval of the City.

**Policy Impact Area:** Street Naming

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-800

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$150,000 and will be used for the purchase of a parcel located on Ramona Boulevard between Cahoon Road and Cowart Road. The purchased parcel will be used in the Crystal Springs Road – Chaffee to Cahoon Project for the purpose of stormwater drainage pond.

**Background Information:** The parcel will be purchased from Leon C. Martin, III and Deborah C. Martin for the appropriated amount, and is found in Council District 8.

**Policy Impact Area:** Drainage improvement

**Fiscal Impact:** \$150, 000 for stormwater drainage pond.

**Analyst:** Stewart



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**Bill Type and Number:** Ordinance 2007-801

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Agreement Approval

**Bill Summary:** This bill approves a settlement agreement and mutual release between the City of Jacksonville and IBM Corporation that will provide the City with a credit in the amount of \$120,000, enabling the City to procure IBM Series X Intel based servers to replace IBM HS20 Blades. The bill authorizes the execution of documents to implement the purpose of this legislation.

**Background Information:** The City had previously purchased IBM HS20 Blades from IBM from 2005 through 2006. The Blades did not perform as promised and expected. A persistent dispute has ensued between the City and IBM. To resolve the differences in the dispute, through the Settlement Agreement and Mutual Release, IBM will provide the City with a \$120,000 credit that the City will use to procure IBM Series X Intel-based servers to replace the IBM HS20 Blades.

**Policy Impact:** Information Technology Department

**Fiscal Impact:** This bill approves a settlement that results in the City's receipt of a \$120,000 credit.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-802

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 26, 2007

**Type of Action:** DRI Amendment

**Bill Summary:** This bill amends the development order for the River City Marketplace Development of Regional Impact (DRI) to incorporate the proposed changes and modifications contained in the Notice of a Proposed Change to a Previously Approved Development of Regional Impact dated July 9, 2007. It is found and determined that such changes do not constitute a substantial deviation under Florida Statutes. The Legislative Services Division is directed to forward certified copies of this ordinance to specified parties.

**Background Information:** The development is located in the vicinity of I-95 and Duval Road. The proposed change amends the use conversion table to permit conversion of commercial uses to an additional 120 hotel rooms, for a maximum of 540 permissible hotel rooms within the DRI.

**Policy Impact Area:** Planning and Development

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-803

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

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 27, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This ordinance amends Section 656.1402 (Approval Procedure), *Ordinance Code*, to establish membership terms for the Transit Oriented Development Committee members, adding additional T.O.D. suitable locations and clarifying that the Transit Oriented Development Committee is advisory to the Planning Commission; the bill attaches an updated Exhibit A reflecting the additional T.O.D. suitable locations.

**Background Information:** The Transit Oriented Development Committee reviews transit oriented development overlay zones where mixed-use projects would be suitable (JTA's proposed Kings Avenue Station project, adjacent to the Kings Avenue JTA Station, a project that consists of hotels, retail and possibly housing units, is an initial transit oriented development). This bill provides that the seven-member TOD Committee shall be appointed for two-year staggered terms and that no member shall serve for more than three consecutive full terms. The Mayor makes the appointments. TOD Committee advisory recommendations shall be presented to the Planning Commission and the City Council for adoption of the TOD Overlay. Moreover, the Planning Commission and Council shall review all TOD Committee recommendations concerning applications for a Transit Oriented Development.

**Policy Impact:** Transportation/Planning & Development Department/Planning Commission

**Fiscal Impact:** Minimal, if any.

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2007-804

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 26, 2007

**Type of Action:** Consideration of Appeal

**Bill Summary:** This bill adopts the recommended findings and conclusions of the Land Use and Zoning Committee concerning the appeal of the Historic Preservation Commission's denial of a certificate of appropriateness application (COA-07-393) relative to property at 112 West Adams Street. It is stated that this resolution is the final action of the City Council. Legislative Services is directed to mail a copy of this resolution to the appellants and any other parties testifying before the Land Use and Zoning Committee or who otherwise file a qualifying statement. Adoption is deemed to constitute a quasi-judicial action of the City Council.

**Background Information:** Kuhn Companies, through its agent, filed the certificate of appropriateness application on May 4, 2007, requesting to replace the window glass in the larger arched windows on the first and second floors of the building located on the property. The report of the Planning and Development Department reflects a staff recommendation to approve. The Historic Preservation Commission denied the application by final order dated June 13, 2007, and an appeal has been filed. The Land Use and Zoning Committee has not yet considered the matter.

**Policy Impact Area:** Historic Preservation

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-810

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** LUZ

**Date of Analysis:** July 26, 2007

**Type of Action:** Consideration of Sign Waiver

**Bill Summary:** This bill gives consideration to sign waiver application SW-07-02. The subject property is owned by Ortega United Methodist Church. Legislative Services is directed to mail a copy of the enacted legislation to the applicant and any other parties testifying before the Land Use and Zoning Committee or who otherwise file a qualified statement. Adoption of this ordinance is deemed to constitute a quasi-judicial action of the City Council. Provision is made that failure to exercise the waiver, if granted, within 1 year of the effective date of this order shall render the waiver invalid and all rights arising therefrom shall terminate.

**Background Information:** The request is for a waiver from the minimum requirements specified in the Zoning Code to reduce the minimum setback requirements for signs from 20 feet to 10 feet and to reduce the minimum spacing between signs from 200 feet to 122 feet in Zoning District PBF-2. The property is located at 4807 Roosevelt Boulevard between Hiawatha Street and Longfellow Street. The Planning and Development Dept. will provide a Staff Report and the Land Use and Zoning Committee will make a recommendation to the City Council for its consideration.

**Policy Impact Area:** Zoning; Sign Waivers

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-811

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Adoption of "rolled back" millage rate; setting proposed millage rate and budget public hearing; request for emergency action

**Bill Summary:** The bill publishes the "rolled back millage rates" for City operations for 2007, based on certified taxable values provided by the Property Appraiser, as follows:

General Services District (GSD), excluding Urban Services Districts 2 – 5: 8.7465 mills  
GSD within USD 2 (Jax Beach), USD 3 (Atlantic Beach), and USD 4 (Neptune Beach): 6.1548 mills  
GSD within USD 5 (Baldwin): 7.1596 mills

The bill proposes the following millage rates to fund the Mayor's proposed FY 2007-08 budget:

General Services District (GSD), excluding Urban Services Districts 2 – 5: 8.4841 mills  
GSD within USD 2 (Jax Beach), USD 3 (Atlantic Beach), and USD 4 (Neptune Beach): 5.1934 mills  
GSD within USD 5 (Baldwin): 6.9448 mills

Finally, the bill sets the required public hearing on the proposed millage rate and tentative budget for the Council meeting of September 11, 2007 and requests emergency adoption of the resolution.

**Background Information:** Florida law requires that the City annually publish the "rolled back millage rate", which is the millage rate that would be required to be levied on this year's (higher) property valuations to produce the same amount of ad valorem tax revenue produced by last year's millage rate. The county millage rates for last year were as follows: GSD (outside USDs 2-5) – 9.64; GSD in USDs 2-4 – 6.3493; GSD in USD 5 – 8.1145.

**Policy Impact Area:** Property tax millage levy

**Fiscal Impact:** Provides for the levy of ad valorem property taxes calculated to produce \$476,417,081.

**Analyst:** Clements

**CITY COUNCIL RESEARCH DIVISION**  
**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2007-812

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

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** F

**Date of Analysis:** July 27, 2007

**Type of Action:** Levy of real and personal property taxes

**Bill Summary:** The bill levies ad valorem taxes on real and personal property for the 2007 tax year at the following rates:

GSD operations (except in the Beaches and Baldwin): 8.4841 mills, \$449,295,734 estimated revenue

GSD operations in USDs 2-4 (Jax Beach, Atlantic Beach, Neptune Beach): 5.1934 mills, \$26,805,369 estimated revenue

GSD operations in USD 5 (Baldwin): 6.9448 mills, \$315,978 estimated revenue

**Background Information:** The total assessed value of taxable real and personal property in the GSD, excluding the Beaches and Baldwin, is \$55,452,757,190 for tax year 2007. In USDs 2-4 (the Beaches cities) the total taxable value is \$5,404,638,330, and in Baldwin the taxable value is \$47,642,419. The 8.4841 millage for GSD operations in the majority of the city represents a decrease from the 2006 millage rate of 9.64.

**Policy Impact Area:** Property tax millage levy

**Fiscal Impact:** Provides for the levy of ad valorem property taxes calculated to produce \$476,417,081 at a collection rate of 95.5%

**Analyst:** Clements

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2007-813

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

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** F

**Date of Analysis:** July 27, 2007

**Type of Action:** Adoption FY07-08 city budget; 5-year projection of future City General Fund revenues and expenditures; Ordinance Code waivers

**Bill Summary:** The bill adopts the 2007-08 budgets for the City and its independent agencies and authorities. The proposed General Fund departmental expenditure budget is \$799,222,336, with a total City departmental expenditure budget (General, Special Revenue, Capital Projects, Enterprise, Internal Service, and Trust and Agency Funds) of \$1,392,373,806. Non-departmental expenditures, inter-fund transfers and reserves are budgeted at \$361,068,930, for total appropriations, reserves and cash carryover of \$1,753,442,736.

The bill sets an employee cap of 7,930 positions and redlines 5 positions to be eliminated when they become vacant (1 Environmental Resources chemist and 4 Fire Captains). The 5-year financial projection projects the City's General Fund revenues to shrink from \$959.3 million in FY07-08 to \$942.3 million next year, then gradually increase to \$1,076.6 million by FY2011-12 for a total increase of 12.2% over the five year period, with franchise fees and intergovernmental revenues providing the bulk of the growth. The bill authorizes the City's participation in the Home Investment Partnership Program for affordable housing, and the federal Community Development Block Grant program. It establishes a Public Service Grant program allocating \$6,729,718.

The bill waives provisions of Ordinance Code to permit the Jacksonville Children's Commission to transfer appropriations within its budget without City Council approval, unless such transfer would move funds out of any children's programs or would transfer funds received by an agency via Public Service Grant. The bill also waives the provisions of the Budget and Accounting Code that require the Mayor to implement and report a Performance Measurement and Unit Cost System.

### **Background Information:**

**Policy Impact Area:** Annual budget adoption

**Fiscal Impact:** The proposed General Fund expenditure budget is \$1,029,924,445, with a total City expenditure budget (General, Special Revenue, Capital Projects, Enterprise, Internal Service, and Trust and Agency Funds) of \$1,753,442,736. The total budgetary approval, including the independent authorities, is approximately \$3.6 billion, excluding the Duval County Public Schools, the budget for which is not approved by City Council.

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2007-814

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

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** F

**Date of Analysis:** July 27, 2007

**Type of Action:** Adoption of 5-year CIP; modification of the 2010 Comprehensive Plan

**Bill Summary:** The bill adopts the 2007-12 Capital Improvement Program for the city and provides for the amendment of the Capital Improvements Element of the 2010 Comprehensive Plan to reflect the revised CIP project list. The CIP's 2007-08 element of the five year plan includes \$78,557,308 for 41 projects ranging from Northbank Riverwalk renovations to fire station construction to environmental remediation projects. The largest projects planned for construction in FY07-08 are the TMDL Initiative/River Accord (\$10 million), roadway resurfacing (\$14.34 million), and governmental facilities capital maintenance (\$8.9 million).

**Background Information:** The Capital Improvement Program is the City's 5-year schedule of planned capital improvements and their funding sources. The 2010 Comprehensive Plan's Capital Improvements Element is required to be amended each year when the revised 5-year CIP is adopted in order to synchronize the documents.

**Policy Impact Area:** Capital project budgeting

**Fiscal Impact:** The CIP estimates total project costs over the next 5 years at \$377,526,808.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-815

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Adoption of gas tax-funded road program

**Bill Summary:** The bill adopts the 2007-08 edition of the 5-year second gas tax county road program. The program budgets a total of \$3,206,500 in 7 project areas, including: roadway striping and signals (\$800,000), stormwater system maintenance (\$150,000), roadway safety right-of-way acquisition (\$300,000) railroad crossing maintenance (\$300,000), traffic signal and street light maintenance (\$150,000), roadway widening and paving county-wide (\$951,500) and intersection improvements (\$555,000) in FY07-08.

**Background Information:** The second gas tax consists of a rebate by the state of 80% of the 5<sup>th</sup> and 6<sup>th</sup> cents of the state gas tax collected in the consolidated city. The Ordinance Code requires that Public Works maintain a 5-year plan for the use of these funds, and that the plan be updated annually.

**Policy Impact Area:** Gas tax road program

**Fiscal Impact:** The bill provides for the collection and expenditure of \$3,206,500 in FY07-08.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-816

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Authorization of revenue bond issue; Ordinance Code waiver; repeal of prior ordinance

**Bill Summary:** The bill authorizes the issuance of up to \$141,127,632 in special revenue bonds for the purpose of financing a legal settlement payment in the City's ash site litigation, refunding debt outstanding under the City's commercial paper borrowing program, and financing the acquisition and construction of a variety of capital projects. The bill waives a provision of the Ordinance Code to permit a negotiated sale of the bonds rather than a competitive bidding process. The bill also repeals Ordinance 2005-1085-E which authorized the issuance of up to \$25 million in special revenue bonds to finance the City's portion of the settlement costs of its ash site litigation.

**Background Information:** According to the City Treasurer, this bill re-authorizes previously authorized borrowing capacity at the suggestion of the City's bond counsel, and does not add any new borrowing capacity or projects. The settlement of the *Nora Williams et al v. City of Jacksonville et al* ash site litigation was originally approved via Ordinance 2005-998-E. The \$75 million settlement (\$25 million from the City of Jacksonville and \$50 million from the City's insurers) was approved by roughly 4,500 residents who are part of a class-action lawsuit claiming they were exposed to toxic ash produced by municipal trash incinerators and buried in landfills. In their lawsuit, the residents stated that they were exposed to toxins in the ash, including lead, arsenic and mercury from City incinerators operating from the 1910s to the 1960s. The commercial paper borrowing program was established in 2004 to provide a mechanism for borrowing funds from time to time as needs arose without the need for separate bond issues.

**Policy Impact Area:** Legal settlement; capital projects funding

**Fiscal Impact:** The bill authorizes issuance of special revenue bonds in an amount up to \$141,127,632.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-817

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

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** F

**Date of Analysis:** July 27, 2007

**Type of Action:** Authorization for Increased Bonds Issuance

**Bill Summary:** This ordinance increases the principal amount of Special Revenue Bonds authorized to be issued to an amount necessary to provided not in excess of \$223,206,029 net project funds and supplementing the project list to revise the items of capital equipment and improvements authorized to be financed.

**Background Information:** In enacting Ordinance 2006-888-E, a measure that has been amended and supplemented from time to time, the "Special Revenue Bond Ordinance" provided for the issuance of Special Revenue Bonds. To implement the Special Revenue Bond Ordinance, the Council enacted Ordinance 2007-816-E that authorized the issuance Banking Fund Bonds as Special Revenue Bonds in an original aggregate principal amount not in excess of \$141,127,362 for the acquisition and construction of capital equipment and capital improvements. This bill authorizes an increase of the original aggregate principal amount to provide not in excess of \$223,206,029.

**Policy Impact:** Special Revenue Bonds/Treasury

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-818

**Sponsor:** Council Member Shad:

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Approval of Bond Issuance Revenue/Interlocal Agreement Approval

**Bill Summary:** This ordinance approves, with respect to that portion which is to be used in the City of Jacksonville, the issuance of a portion of the proceeds from the not to exceed \$13,000,000 City of Tampa Variable Rate Revenue and Revenue Refunding Bonds (Volunteers of America Project) and approves the execution of an interlocal agreement.

**Background Information:** The City of Tampa, Florida is issuing revenue bonds, a portion of which in an amount not to exceed \$13,000,000 will be used in the City of Jacksonville. Volunteers of America of Florida, Inc., a Jacksonville -based Florida not-for-profit, which provides counseling, mental health services, housing and other social services, requested Tampa issue not to exceed \$13,000,000 of its Variable Rate Revenue and Refunding Bonds to provide funds for the financing, acquisition and renovation of a two-story apartment building located at 1800 Danese Court. The site and project are located in Council District 5. The Internal Revenue Code (Section 147(f), requires the City Council's approval of the issuance of the bonds, as the Tampa bonds constitute private activity bonds to finance a facility located in Jacksonville. The facility site is located in Council District 5.

**Policy Impact:** Variable Rate Revenue Bonds

**Fiscal Impact:** This bill approves the issuance of revenue bonds in an amount not to exceed \$13,000,000.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-819

**Sponsor:** Council Member Corrigan

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$30,605 and will provide funding for the design, construction, and installation of playground equipment at Belvedere Park located at the 1400 block of Belvedere Street in Council District 14. These funds will carryover from the 2006-07 to the 2007-08 fiscal year.

**Background Information:** The monies will come from two funds: \$21,849 will come from the District 14 Council Discretionary Fund, and \$8,756 will come from private contributions through the Riverside Avondale Preservation. The Department of Parks, Recreation, Entertainment, and Conservation will oversee the project. Any unspent funds from the \$21,849 will be reverted back to the District 14 Council Discretionary Fund by September 30, 2008.

**Policy Impact Area:** Park improvements

**Fiscal Impact:** \$30,605 for playground equipment from district bond funds and private contributions

**Analyst:** Stewart

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**Bill Type and Number:** Ordinance 2007-820

**Sponsor:** Council President at the Request of the Mayor

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Declaration of Surplus and Authorization of Sale

**Bill Summary:** The City is in possession of a 65-foot Eugene Johnson Boat (MP # 3178) and has been declared a surplus. In accordance with provisions of Section 122.813, Ordinance Code, this item is authorized for sale.

**Background Information:** The boat is a 1970 65-foot Eugene Johnson, and is no longer a need to the City.

**Policy Impact Area:** Surplus property disposition

**Fiscal Impact:** Undetermined

**Analyst:** Stewart

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**Bill Type and Number:** Resolution 2007-822

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Council President's appointment of Kevin L. Southerland to the Health & Life Insurance Procurement Committee.

**Background Information:** Ordinance 2006-1194-E established a committee to ensure the efficient and effective procurement of health and life insurance for the benefit of the City and its employees. The membership of the committee includes two members with insurance experience appointed by the Council President. Mr. Southerland received a master's degree in counseling psychology from Liberty University and is a Financial Services Representative with *New York Life Insurance Company*. He resides in the Crystal Springs area within Council District #12.

**Policy Impact Area:** Employee health and life insurance benefits procurement

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2007-823

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 24, 2007

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Selaine N. Wilder to the Jacksonville Health Facilities Authority, filling the slot formerly held by Robert Gut, for a term ending December 15, 2009.

**Background Information:** Section 154.207, *Florida Statutes*, provides that the members of the Health Facilities Authority are residents designated by the governing body. Ms. Wilder received a master's degree in health administration from the University of North Florida. She is a Nurse Manager with *Shands Jacksonville*. Ms. Wilder resides in the Crystal Springs area within Council District #12.

**Policy Impact Area:** Jacksonville Health Facilities Authority operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-824

**Sponsor:** Council President Davis

**Date of Introduction:** July 24, 2007

**Committee(s) of Reference:** R

**Date of Analysis:** July 23, 2007

**Type of Action:** Appointment

**Bill Summary:** This bill elects Council Member Glorious Johnson as Chair and Council Members Johnny Gaffney and Ray Holt as members of the 2007 Value Adjustment Board.

**Background Information:** Section 194.015, *Florida Statutes*, requires that three of the members of the Value Adjustment Board shall be members of the governing body of the county elected from the membership of the board of the governing body. Council Member Johnson has served as Chair of the Value Adjustment Board since 2003.

NOTE: Emergency Action on this bill may be required in order for the board to meet in the time frame established by the State Department of Revenue.

**Policy Impact Area:** Value Adjustment Board operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-825

**Sponsor:** Council Member M. Jones

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$283, 084 and will be used in assisting in the construction of a concession stand for Scott Park located at 2745 Hamilton Circle, Jacksonville, Florida in Council District 10. Project is titled "Scott Park Concession Stand" and is part of the 2006-2011 Five Year Capital Plan approved by Ordinance 2006-789-E.

**Background Information:** The monies provided will come from two mitigations: \$249, 063 will come from Class III Mitigation – Transfer of Retained Earnings – Jones Road; \$34, 021 will come from Class III Mitigation – Transfer of Retained Earnings – Old Kings Road. The Department of Parks, Recreation, Entertainment, and Conservation will oversee the project. This is a carryover of funds from the 2006-2007 fiscal year. If monies are not spent by September 30, 2008, they will be reverted proportionately to their source of origin.

**Policy Impact Area:** Park improvement

**Fiscal Impact:** \$283, 084 is appropriated.

**Analyst:** Stewart

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**Bill Type and Number:** Ordinance 2007-828

**Sponsor:** Council Member Warren Jones:

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Stay of Reversion

**Bill Summary:** This ordinance regards the Economic Development Agreement, dated March 9, 2005, as amended, by the City, the Jacksonville Economic Development Commission and NU Beta Sigma Chapter of Phi Beta Sigma Fraternity, Inc., as approved in Ordinance 2003-1119-E, and amended in Ordinance 2005-1467, and further financed in Ordinance 2006-747-E, which provided that the developer (NU Beta Sigma) complete certain exterior improvements to Block 109, Lot 4, LaVilla (644 Ashley Street West, a/k/a Genovar's Hall. The site is located in Council District 9. This bill provides for a 120 day stay of the City's and JEDC's efforts to revert the property to the City and provides for the City and JEDC to engage in mediation with the developer to resolve issues.

**Background Information:** The developer proposes to renovate and restore this structure that is a part of the City's African American heritage. The developer has not met obligations to complete restoration work and the City and JEDC have sought to have the property reverted back to the City.

**Policy Impact:** Jacksonville Economic Development Commission

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-829

**Sponsor:** Council President at the Request of the Mayor

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Agreement Authorization

**Bill Summary:** This bill authorizes the Mayor and Corporation Secretary to execute an interlocal agreement with the Tolomato Community Development District and the Split Pine Community Development District providing for financial assurance for construction of improvements.

**Background Information:** As part of the Nocatee Development of Regional Impact (DRI), the developer has agreed to construct a limited access 4-lane extension of Racetrack Road between the current terminus of Racetrack Road at US 1 and the intersection of New County Road 210 and Town Center Loop Road West. A pending Notification of a Proposed Change to the DRI would require the developer to provide the City with financial assurances prior to commencement of construction of said road extension. These financial assurances may include evidence that the Community Development District (CDD) bond proceeds have been deposited with a bond trustee and are available for that purpose. The Tolomato CDD and the Split Pine CDD have proposed entering into an interlocal agreement with the City, whereby the Tolomato CDD agrees to complete construction of the road extension by no later than the end of Phase III of the DRI (October, 2016). The agreement also provides that bond proceeds in an amount equal to the expected costs of the extension will be set aside for construction purposes, and will be available to the City upon a default under the agreement by the Tolomato CDD. Certain specific financial aspects of the agreement have yet to be determined.

**Policy Impact Area:** Community Development Districts

**Fiscal Impact:** To be determined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-830

**Sponsor:** Council President at the request of the Jacksonville Economic Development Commission:

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Redevelopment Agreement Approval;” REV Grant” Authorization; Ordinance Code Waiver

**Bill Summary:** This ordinance authorizes and approves a Purchase and Sale and Redevelopment Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and the following Georgia Limited Liability Companies: MDP Brooklyn Park, LLC; MDP Block A, LLC; MDP Block B, LLC; MDP Block C, LLC; MDP Block D, LLC; MDP Block E, LLC, and MDP Block F, LLC (Collectively “Developer”), for the sale of three vacant lots in the Brooklyn area to the developer entities for the appraised values of such lots and pursuant to the developer’s response to a Request for Proposal for the sale and development of the lots, and for the development of the lots by the developer into workforce housing and other improvements. The agreement approved by this ordinance authorizes a Recapture Enhance Value Grant (“REV Grant”) in an amount not to exceed \$3,000,000; the ordinance authorizes the Mayor to execute a Infrastructure Costs Disbursement Agreement between the City, JEDC and MDP Brooklyn Park, LLC, for the construction of right of way and utility improvements in and around the lots conveyed to the developer; the bill waives provisions of Chapter 126, Procurement Code, requiring competitive bidding; the ordinance appropriates \$394,641.

**Background Information:** This redevelopment agreement entails the revitalization of the North Brooklyn area from Leila to Forest Streets, Riverside Avenue to Park Street. The site is located in Council District 9. The developer proposes to develop a 12.5 acre, six block mix use development that could include up to 800 residential units, office space, retail space, a 200 unit hotel. Completion of the phased project is estimated between five to eight years with an estimated capital cost of \$180 to \$200 million. Redevelopment Agreement commits the City’s investment in the form of a REV Grant not to exceed \$3 million. There are clawback provisions in the event that the developer does not meet their obligations.

**Policy Impact:** Economic Development/Jacksonville Economic Development Commission

**Fiscal Impact:** The bill appropriates \$394,641.00 and commits the City to a REV Grant in an amount not to exceed \$3,000,000.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-831

**Sponsor:** Council President at the request of the Jacksonville Economic Development Commission:

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Redevelopment Agreement Authorization

**Bill Summary:** This ordinance authorizes the execution of a Redevelopment Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and Hallmark Partners, Inc., HP/CSD Partners, LLC, and 200 Riverside Avenue, LLP (Collectively, "developer") for the City's purchase of certain land in the Brooklyn area of downtown (located in Council District 9) for an amount not to exceed \$450,000, and the development by the developer of a regional stormwater facility for the purpose of facilitating development in the Brooklyn area; the agreement authorizes the Mayor to execute an Infrastructure Costs Disbursement Agreement between the City, JEDC and the developer for the construction of the regional stormwater facility; the ordinance waives provisions of Chapter 126, procurement code, requiring competitive bidding for the construction of city capital improvements; the ordinance authorizes a public open space Maintenance Agreement between the City and the developer for a one time payment of \$750,000 and authorizes the appropriation of \$825,000.

**Background Information:** This Redevelopment Agreement entails the revitalization of North Brooklyn from Leila to Forest Streets, Riverside Avenue to Park Street. The developers will invest an estimated \$290 million of private capital over the next five to eight years. It is a mixed use project. The Agreement commits the City to an Infrastructure Costs Disbursement Agreement estimated at \$8,662,027 for Phase I and \$2,647,928 for Phase II. The City has agreed to purchase parcels for an amount not to exceed \$450,000 to provide land for the construction of a Brooklyn Regional Stormwater System. There are Clawbacks provisions in the event that the developer does not meet its obligations in the agreement.

**Policy Impact:** Brooklyn Revitalization/Jacksonville Economic Development Commission

**Fiscal Impact:** The Redevelopment Agreement commits the City to \$450,000 to purchase parcels; and \$8,662,027 and \$2,647,928, respectively, in an Infrastructure Costs Disbursement Agreement

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-832

**Sponsor:** Council President at the Request of the General Counsel

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Consent Decree Authorization; Ordinance Code Waiver

**Bill Summary:** This bill authorizes the Mayor and Corporation Secretary to execute a consent decree with the United States Dept. of Justice and the United States Environmental Protection Agency for remedial design and remedial action at 4 sites (Brown's Dump; Lonnie C. Miller, Sr., Park; Forest Street Incinerator Site; and, Fifth and Cleveland Streets Incinerator Site). Upon recommendation of the General Counsel, the Mayor, or designee, is authorized to sign decree amendments, provided that any such amendment that would increase the City's liability shall first be submitted to Council for review and approval. The need to expeditiously negotiate consulting engineering and construction contracts is declared and certified as a valid public emergency, and the provisions of the Purchasing Code (Chapter 126, Ordinance Code), are waived consistent with the deadlines imposed by the consent decree. Additionally, the Mayor, or designee, and Corporation Secretary are authorized to execute all documents necessary to effectuate the consent decree, including consulting engineering and construction contracts and amendments thereto.

**Background Information:** The United States Environmental Protection Agency (EPA) has identified the City as a potentially responsible party under the Comprehensive Environmental Response, Compensation and Liability Act at 4 sites where municipal solid waste incinerator ash was disposed. The City conducted investigations and prepared studies, and EPA has issued records of decision identifying the remedial action to be taken. The 2006-2011 Capital Improvement Program includes funds to implement remedial action, and the Office of General Counsel has negotiated a consent decree with EPA and the United States Dept. of Justice for such remedial action at the sites.

**Policy Impact Area:** Ash Site Remediation; Environmental Protection

**Fiscal Impact:** To be determined

**Analyst:** Campbell



# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2007-833

**Sponsor:** Council Member Gaffney

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 26, 2007

**Type of Action:** Amendments to Appropriations; Repeal of Ordinance

**Bill Summary:** This bill amends Ordinance 2007-551-E to reduce the appropriation for the Arlington Road Town Center Project from \$140,000 to \$100,000 and to reflect such reduced funding in the Five-Year Capital Improvement Program approved by Ordinance 2006-789-E. Ordinance 2007-549-E is amended to reduce the appropriation for The Bridge of Northeast Florida from \$100,000 to \$25,000. Additionally, Ordinance 2007-676-E, which appropriated \$98,352.50 for an ultrasound system for Shands Jacksonville Eastside Clinic, is repealed. The Chief of Legislative Services is directed to place of copy of this enacted ordinance in the file for each affected ordinance. Authorization is given for the Mayor, or designee, and Corporation Secretary to make changes to all related contracts in the monetary amounts reflected herein.

**Background Information:** The bill states that these previously-appropriated funds have not yet been expended, and that the Council has the authority to modify or repeal these spending authorizations. It also states that, though well intended, the nature and amount of funding had the effect of overextending Council District 7 discretionary funding, and there are many other extraordinary needs and projects in said district which are in need of discretionary funding capacity.

**Policy Impact Area:** Council District Bond Funds; Community Services; Public Health

**Fiscal Impact:** The reductions total \$213,352.50

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-836

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Ordinance Code amendments; establishment of trust fund

**Bill Summary:** The bill amends the Ordinance Code to repeal the existing Chapter 754 – Stormwater Code – and enacts a new Chapter 754 – Stormwater Management Utility Code. The new chapter declares the City’s intent to establish a stormwater utility financed by a service charge on each developed parcel in the City (excluding the Beaches and Baldwin) based on the amount of impervious surface on the parcel. The chapter establishes a fee of \$5 per month per ERU billing unit (2,443 square feet of impervious surface). The standard fee is set at 1 ERU for single family detached residential units of 1,800 to 3,400 square feet, 0.5 ERU (\$2.50) for single family detached units of less than 1,800 square feet, and 1.5 ERU (\$7.50) for single family detached units over 3,400 square feet. Other properties are to be billed on the basis of ERUs equaling total square footage of impervious surface divided by 2,500. Billing shall be by any method legally authorized as selected by the Stormwater Management Utility Director.

Fees collected shall be deposited into a Stormwater Management Utility Trust Fund and appropriated from the fund to pay the City’s expenses of constructing and maintaining its stormwater management system. The utility is authorized to promulgate rules and regulations for stormwater management, to establish “best management practices”, to regulate illegal stormwater discharges, and otherwise to ensure compliance with the City’s NPDES permit requirements.

**Background Information:** The new chapter states that the City’s cost of providing stormwater management services is approximately \$34 million in 2007. The new utility and stormwater fee are proposed as one means of diversifying the City’s revenue streams and addressing the budgetary impacts caused by the state’s recently enacted property tax reform legislation.

**Policy Impact Area:** Stormwater management

**Fiscal Impact:** The bill creates a stormwater utility fee calculated to produce approximately \$5,739,309 million in the upcoming fiscal year (4 months – July through September 2008).

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-837

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Ordinance Code amendment; establishment of solid waste service fee

**Bill Summary:** The bill amends and retitles Part 5 of Ordinance Code Chapter 382 – Waste Collection and Disposal Service by Contractors and City – to establish a Solid Waste Service Fee on each residential premises (single-family, duplex, triplex or quadruplex) countywide, excluding the Beaches and Baldwin, effective April 1, 2008. The fee is established at \$5 per month per premises or \$60 per year. The fee shall increase at a rate of \$1 per month per year from October 1, 2008 until the time when the proceeds of the fee cover the costs of collection and disposal of the residential solid waste and the administrative costs associated with the program, up to a maximum of \$12 per month or \$144 per year. From April 1 through September 30, 2008, the fee shall be billable and collectible through any legally authorized method; effective October 1, 2008 the fee shall be collected as a non ad valorem assessment pursuant to Florida Statutes. The ordinance provides that the City may discontinue solid waste collection service to any premises that does not pay the fee in a timely manner, and provides that the City may collect unpaid fees through any lawful collection mechanism.

**Background Information:** The fee is proposed as one means of diversifying the City's revenue streams and addressing the revenue impacts imposed by the state's property tax reform legislation. Currently residential solid waste collection and disposal costs are paid from General Fund sources.

**Policy Impact Area:** Solid waste collection and disposal funding.

**Fiscal Impact:** The solid waste service fee is estimated to generate \$5,109,000 in the upcoming fiscal year (6 months – April through September).

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-838

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** City Charter amendment; establishment of JEA franchise fee

**Bill Summary:** The bill amends City Charter Section 21.07 – JEA Fiscal and budgetary functions – to establish a City franchise fee to be paid by the JEA in an amount equal to 3 percent of the gross revenues of the electric, water and sewer utility systems within the consolidated city, excluding operations in the Beaches and Baldwin. The franchise fee shall apply to each utility account on the total amount of water and sewer charges and up to \$200,000 of electric charges. The JEA is authorized to pass-through the amount of the franchise fee to its customers, with each paying their proportionate share of the total based on their usage. Alternatively, the JEA is authorized to fund payment of the fee through any legally available revenue of the water, sewer and electric systems. The franchise fee rate and the amount of the pass-through may be increased by ordinance by a supermajority vote of 2/3 of the City Council, up to a maximum fee of 6 percent of gross utility revenues.

**Background Information:** The franchise fee is proposed as a means of diversifying the City's revenue streams and dealing with the impact of the state's property tax reform legislation. The charter amendment states that the franchise fee is being levied in consideration of the City's administrative costs incurred in coordinating functions and services with the JEA, of the JEA's exclusive right to provide utility services in much of the city, of the JEA's use of City rights-of-way to provide its services, and in consideration of the JEA's status as a wholly-owned public utility. The new franchise fee is levied in addition to the annual assessment the JEA already pays the City as a percentage of water, sewer and electric sales.

**Policy Impact Area:** JEA operations

**Fiscal Impact:** The franchise fee is estimated to produce \$17,730,007 in the upcoming fiscal year (6 months – April through September).

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-839

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

**Date of Introduction:** July 24, 2007

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

**Date of Analysis:** July 27, 2007

**Type of Action:** Ordinance Code amendment; executive branch reorganization

**Bill Summary:** The bill amends numerous chapters of the Ordinance Code to substantially reorganize the executive branch of the government as follows:

### Existing units deleted

- Agriculture Department
- Community Services Department
- Procurement and Supply Department
- Parks, Recreation, Entertainment and Conservation Department
- Human Resources Department

### New units created

- Central Operations Department (consisting of Administrative Services, Fleet, Human Resources, Procurement, and Public Information Divisions)
- Recreation and Community Services Department (consisting of Behavioral and Human Services, Recreation and Community Programming, and Waterfront Management and Programming Divisions)

### Units altered or reorganized

- Administration and Finance Department renamed as Finance Department (consisting of Treasury, Accounting/Comptroller, Risk Management and Budget Divisions)
- Planning and Development Department – adds Building Inspection Division to current divisions
- Public Works Department (consisting of Engineering and Construction Management, Right-of-Way and Grounds Maintenance, Real Estate, Public Buildings, and Solid Waste Divisions)
- Environmental and Resource Management Department renamed as Environmental Compliance Department (consisting of Environmental Quality, Mosquito Control, Animal Care and Control, Municipal Code Compliance, and Parking Facilities and Enforcement Divisions)
- Housing and Neighborhoods Department – Property Safety and Neighborhood Services Divisions are deleted

**Background Information:** The reorganization reduces the number of departments from 13 to 7 (plus the JEDC as an 8<sup>th</sup> department governed by an appointed board) and reorganizes some offices and functions for greater efficiency.

**Policy Impact Area:** Executive branch reorganization

**Fiscal Impact:** Undetermined cost savings and efficiency gains

**Analyst:** Clements