

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

**JEFFREY R. CLEMENTS**  
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**Bill Type and Number:** Ordinance 2012-422

**Introducer/Sponsor(s):** Council Member Redman

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Reauthorization of downtown business improvement district special assessment; authorizing execution of new Enhanced Municipal Services Agreement; pledge of future budgetary actions; providing for compilation and publication of special assessment roll; providing notice of public hearing; declaring intention to utilize non-ad valorem special assessment mechanism

**Bill Summary:** The bill reauthorizes the use of a special assessment to fund a downtown Work Program as proposed by Downtown Vision, Inc. and establishes the tax roll of specially benefitting properties that will be subject to the special assessment. The bill authorizes the execution of an Enhanced Municipal Services Agreement between the City and Downtown Vision, Inc. for that entity to utilize the special assessment funds appropriated by the City to provide enhanced public services to downtown properties. The bill announces the City's intent to utilize the non-ad valorem special assessment mechanism, levies the special assessment for FY12-13, and provides for a City appropriation of funding in lieu of the special assessment for benefitting City properties. The bill establishes the preliminary assessment roll, sets the public hearing for the special assessment for August 7, 2012 at the Finance Committee meeting, and authorizes the mailing and publication of required notices.

**Background Information:** The City originally created the Downtown Business Improvement District (BID) in 1999, imposed a non-ad valorem special assessment on private properties within the BID, voluntarily contributed City funds to the BID in lieu of the assessment on City buildings, and contracted with Downtown Vision, Inc. to provide the enhanced level of downtown services funded by the assessment revenue. The original term of the contract with DVI was 5 years, after which it was renewed for another 7 years, expiring September 30, 2012. This bill reauthorizes the BID and special assessment and authorizes a new contract with Downtown Vision, Inc. for 7 years through 2019.

**Policy Impact Area:** Downtown service enhancement

**Fiscal Impact:** The first year of the special assessment is projected to produce \$729,488 from private properties, to which the City will add \$311,660 for its properties, for total revenue of \$1,041,148 in FY12-13.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-423

**Sponsor:** Council President Bishop:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Rescheduling Meetings

**Bill Summary:** The ordinance changes the City council Committee meetings scheduled for Monday, December 31, 2012 and Tuesday, January 1, 2013 to Wednesday, January 2, 2013 and Thursday, January 3, 2013, respectively to accommodate New Year's Eve and the observance of the New Year's Day holiday; waives Section 2.201(a), *Council Rules*.

**Background Information:** Recognizing the impracticality of scheduling Committee meetings on New Year's Eve and New Year's Day, this ordinance waives Council Rules to reschedule Committee meetings.

**Policy Impact:** Council Rules

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-429

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Adoption of proposed ad valorem millage rate; advising Property Appraiser of rolled back millage rate; setting public hearing dates for millage levy and City budget; requesting emergency passage

**Bill Summary:** The bill publishes the “rolled back millage rates” for tax year 2012, based on certified taxable values provided by the Property Appraiser, as follows:

General Services District (GSD - countywide), excluding Urban Services Districts 2 – 5: 10.5709 mills  
GSD within USD 2 (Jax Beach), USD 3 (Atlantic Beach), and USD 4 (Neptune Beach): 6.9443 mills  
GSD within USD 5 (Baldwin): 8.8109 mills

The bill proposes the following millage rates to fund the Mayor’s proposed FY 2012-13 budget:

General Services District (GSD), excluding Urban Services Districts 2 – 5: 10.0353 mills  
GSD within USD 2 (Jax Beach), USD 3 (Atlantic Beach), and USD 4 (Neptune Beach): 6.7446 mills  
GSD within USD 5 (Baldwin): 8.4472 mills

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

The bill is requested for emergency passage on first reading in order to meet the state mandated deadline of August 4 to report a proposed millage rate to the Property Appraiser for mailed notification to all property owners.

**Background Information:** Florida law requires that the City annually publish the “rolled back millage rate” (this year actually a rolled-up rate), which is the millage rate that would be required to be levied on this year’s (lower) property valuations to produce the same amount of ad valorem tax revenue produced by last year’s millage rate. The county millage rates for the current year as follows: GSD (outside USDs 2-5) – 10.0353; GSD in USDs 2-4 – 6.7446; GSD in USD 5 – 8.4472. The Property Appraiser’s preliminary (end of June) taxable value roll for 2012 is \$48,273,754,426, down from \$50,879,387,281 in June of 2011.

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

**Fiscal Impact:** Provides for the levy of ad valorem property taxes calculated to produce \$449,038,716 in revenue.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-430

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Levy of real and personal property taxes in General Services District, excluding the Beaches and Baldwin; authorizing assessment and collection of taxes

**Bill Summary:** The bill levies ad valorem taxes on real and personal property for the 2012 tax year for GSD operations (excluding the Beaches and Baldwin) at a rate of 10.0353 mills, which represents a 5.07% decrease from the 2012 rolled back rate, and authorizes the assessment and collection of the taxes.

**Background Information:** The total adjusted taxable value of real and personal property in the GSD, excluding the Beaches and Baldwin, is \$43,635,504,148 for tax year 2012 (down 5.12% from current year taxable value). The millage for GSD operations in the majority of the city represents an unchanged millage rate from 2011.

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

**Fiscal Impact:** Total ad valorem property taxes (real and personal) are projected to generate \$449,038,716 for the City General Fund at a collection rate of 95.5%.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-431

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Levy of City of Jacksonville real and personal property taxes in USD 2-4 (the Beaches cities); authorizing assessment and collection of taxes

**Bill Summary:** The bill levies ad valorem taxes on real and personal property for the 2012 tax year for GSD operations in Atlantic Beach, Neptune Beach and Jacksonville Beach at a rate of 6.7446 mills, which represents a 2.88% decrease from the 2012 rolled back rate, and authorizes the assessment and collection of the taxes.

**Background Information:** The total assessed value of taxable real and personal property in the Beaches cities is \$4,283,155,884 for tax year 2012 (down 4.28% from 2011). The millage for GSD operations in the Beaches cities represents an unchanged rate from tax year 2011.

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

**Fiscal Impact:** Total ad valorem property taxes (real and personal) are projected to generate \$449,038,716 for the City General Fund at a collection rate of 95.5%.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-432

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Levy of City of Jacksonville real and personal property taxes in USD 5 (Town of Baldwin); authorizing assessment and collection of taxes

**Bill Summary:** The bill levies ad valorem taxes on real and personal property for the 2012 tax year for GSD operations in the Town of Baldwin at a rate of 8.4472 mills, which represents a 4.13% decrease from the 2012 rolled back rate, and authorizes the assessment and collection of the taxes.

**Background Information:** The total adjusted taxable value of real and personal property in the Town of Baldwin is \$41,339,870 for tax year 2012 (down 8.55% from 2011). The millage for GSD operations in the Town of Baldwin represents an unchanged rate from tax year 2011.

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

**Fiscal Impact:** Total ad valorem property taxes (real and personal) are projected to generate \$449,038,716 for the City General Fund at a collection rate of 95.5%.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-433

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Adoption of FY2012-13 city budget; approval of independent authority budgets; provision for capital projects; 5-year revenue and expenditure projections; setting pension contributions; Ordinance Code waivers; Ordinance Code amendment

**Bill Summary:** The bill adopts the 2012-13 budgets for the City and its independent agencies and authorities. The proposed General Fund GSD departmental expenditure budget is \$845,289,322, with a total City departmental expenditure budget (General Fund, Special Revenue, Capital Projects, Enterprise, Internal Service, Trust and Agency Funds, and Other Component Units) of \$1,518,294,717. Non-departmental expenditures, inter-fund transfers and reserves are budgeted at \$350,996,088, for total appropriations, reserves and cash carryover of \$1,869,290,805.

The bill sets an employee cap of 7,209 positions and redlines 50 positions to be eliminated when they become vacant (50 police officers). The 5-year financial projection estimates the City's General Fund revenues to shrink from \$945,086,291 million (proposed) in FY12-13 to \$ 942,222,028 next year, fall slightly again in FY15 and then gradually increase to \$966,766,640 by FY16-17 for a total increase of 2.3% over the five year period, with property taxes projected to continue falling and the JEA contribution and utility service taxes providing the bulk of the growth. It establishes a Public Service Grant program allocating \$5,802,715. The bill sets the employer's contributions (percentage of covered payroll) to the various pension plans at 20.81% for the General Employees' Pension Fund, 81.91% for the Police and Fire Pension Fund, and 39.11% for the Corrections Officer's Pension Fund.

The bill waives provisions of Ordinance Code that require the City to increase funding for the Jacksonville Children's Commission each year by an amount equal to the average percentage increase in all City operating department budgets, up to the value of ½ mill and waives the Ordinance Code requirement that the Mayor annually calculate and report unit cost measures and service quality measures for City government operations. Additionally the bill waives certain provisions of the Procurement Code for the purpose of allowing SMG to utilize its own competitive procurement process rather than the City's process for the purpose of capital expenditures of \$100,000 or less and for non-capital extraordinary repair and maintenance projects of \$500,000 or less. The bill waives the Code with regard to the method for setting the salaries of City Council members so as to keep the base salaries for council members the same in FY12-13 as in FY11-12. Conflicting provisions within Code Section 10.105 regarding Council members' postage and communication expenses are waived so as to reduce the communication expense allowance to the lower of the conflicting provisions. The bill waives the prohibition against making Ordinance Code changes in the budget ordinance and waives the Code requirement that vehicle replacement be done on a cash basis.

**Background Information:**

**Policy Impact Area:** Annual budget adoption

**Fiscal Impact:** The proposed General Fund departmental expenditure budget is \$845,289,322, with a total City departmental expenditure budget (General, Special Revenue, Capital Projects, Enterprise, Internal Service, and Trust and Agency Funds) of \$1,518,294,717. The total budgetary approval, operations and capital, for the City and the independent authorities, is approximately \$4.5 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 2012-434

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Adoption of annual Capital Improvement Program; amendment to Comprehensive Plan

**Bill Summary:** The bill adopts the 2013-17 Capital Improvement Program and provides that no funds may be expended for any generally described line item project within the CIP that does not contain specific reference to precise locations of work, narrowly defined project costs or narrowly defined work descriptions until such project is defined and approved by City Council via a CIP amendment and specific appropriation. The bill also authorizes amendment of the Capital Improvements Element of the 2030 Comprehensive Plan to reflect the updated CIP project list.

**Background Information:** The bill approves a City non-stormwater project listing of 32 projects to be constructed/purchased in FY12-13 at a total cost of \$36,246,520, the largest allocations being \$9.87 million for ash site remediation, \$4.5 million for roadway resurfacing, and \$4 million for government facilities maintenance. \$28,355,950 of that amount (78.23%) is to be financed via Banking Fund borrowing. A list of 8 projects funded by the stormwater utility fee totals \$10,908,679. The total FY12-13 project cost for all City and independent agency capital projects (JAA, JEA, JPA, JTA, and School Board) is \$604,381,003. The City's total 5-year capital project list (stormwater and non-stormwater) is estimated at \$271,164,774 (excluding the independent authorities).

**Policy Impact Area:** Capital improvement budgeting

**Fiscal Impact:** The City's project cost for FY12-13 (stormwater and non-stormwater projects) is \$47,155,199.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-435

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** June 26, 2012

**Type of Action:** Annual Banking Fund authorization

**Bill Summary:** The bill authorizes Banking Fund borrowing in an amount necessary to provide \$25,176,448 in net project funds to apply to capital projects for FY12-13. That amount is accomplished by authorizing \$33,427,050 in new projects, offset by \$8,250,602 in de-authorization of previously approved projects. The Banking Fund borrowing cap is set at \$606,793,298 in net project funds (comprised of \$720,445,272 in cumulative new project authorizations offset by \$113,651,974 in completed or de-authorized projects).

**Background Information:** The Banking Fund is the primary source of borrowing for the City's non-stormwater capital improvement projects. The largest Banking Fund allocations for FY12-13 are for ash site remediation (\$9,872,000), government facilities capital maintenance (\$4,000,000), Northbank Riverwalk and bulkhead repairs (\$3,500,000) and construction of Fire Station #62 (\$2,739,250).

**Policy Impact Area:** Capital project funding

**Fiscal Impact:** The bill authorizes \$33,427,050 in new projects, offset by \$8,250,602 in de-authorization of previously approved projects for a net new funding authorization of \$25,176,448.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-436

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation; CIP Amendment

**Bill Summary:** The ordinance appropriates \$86,250 from the Banking Fund – Loan Proceeds Account – to provide funding for the Yacht Club Road – Pirates Cove Road Improvement Project (“project”), an effort to reduce, if not eliminate, both the use of Pirates Cove Road, a residential street, as a high-speed shortcut access to Roosevelt Boulevard from Yacht Club Road, and also the additional traffic disruptions in the neighborhood, as initiated by B.T. 12-077; provides for a carryover of funds to Fiscal Year 2012-2013; amends the 2012-1216 Five-Year Capital Improvement Program, approved by Ordinance 2011-406-E, to provide funding for a new project entitled “Yacht Club Road –Pirates Cove Road Improvement” and reduce funding for the project entitled “Intersection Improvements, Bridges, Miscellaneous Construction;” provides for City oversight by the Public Works Department. The project site is located in Council District 14.

**Background Information:** Pirates Cove Road, residential street, is used as a high-speed shortcut access to Roosevelt Boulevard from Yacht Club Road and the additional traffic disrupts the neighborhood. Speed bumps are not an acceptable solution. The project will realign the intersection to eliminate the gentle curve of the turn from Yacht Club Road onto Pirates Cove Road, replacing it with a perpendicular road connection which will require a hard turn to access the shortcut, slowing down any traffic entering Pirates Cove Road from Yacht Club Road and likely reducing, if not eliminating, use of the shortcut.

**Policy Impact:** Public Works

**Fiscal Impact:** The ordinance appropriates \$86,250

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-438

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$25,000 from the Environmental Protection Board Trust Fund to allow the Environmental Protection Board to sponsor and contribute \$25,000 to the Jacksonville Zoo and Gardens Shoreline Project, as initiated by B.T. 12-083; provides for a carryover of funds to Fiscal Year 2014-2015; requires matching funds prior to release of EPB funds; provides for installment payments to Jacksonville Zoo and Gardens; provides for oversight of the project by the Neighborhoods Department.

**Background Information:** The funding in this appropriation will enable the Jacksonville Zoo and Gardens to feature alternative shoreline stabilization practices, promote nature habitats and educate the public about the importance of living shorelines. Jacksonville Zoo & Gardens will be paid for the project in three installment payments. The first installment, in the amount of \$10,000, shall be paid to Jacksonville Zoo & Gardens upon satisfactory completion of the Match requirement. The second payment, in the amount of \$10,000, shall be paid to the Jacksonville Zoo & Gardens upon receipt by the Neighborhoods Department of written notification of the issuance of Florida Department of Environmental Protection and United States Army Corps of Engineers' Environmental Resource Permits. The third payment, in the amount of \$5,000, shall be paid to the Jacksonville Zoo & Gardens upon receipt by the Neighborhoods Department of written notification of completion of the project.

**Policy Impact:** Jacksonville Zoo & Gardens/Neighborhoods Department

**Fiscal Impact:** The ordinance appropriates \$25,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-439

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$5,000 from the Environmental Protection Fund to provide scholarships for citizens with financial hardship to attend the annual Florida Coastal School of Law/Jacksonville University Northeast Florida Environmental Summit.

**Background Information:** The Northeast Florida Environmental Summit annually provides informational sessions on a variety of environmental topics and the opportunity for citizens and especially students to learn about environmental preservation and remediation and to talk to experts in the field. The EPB has allocated funds for a number of years to subsidize the registration fees of students and citizens with limited financial resources in order to allow them the same opportunity to attend the conference and obtain the information made available. The EPB Trust Fund authorizing legislation was amended in April 2011 to include education and outreach expenditures as allowable expenses of the fund, so the Ordinance Code waiver that used to accompany this legislation each year is no longer necessary.

**Policy Impact Area:** Support for Environmental Summit

**Fiscal Impact:** The bill appropriates \$5,000 from the Environmental Protection Fund.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-440

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation; CIP Amendment

**Bill Summary:** The ordinance appropriates \$130,000.00 from the Banking Fund – Debt Proceeds Account – to provide funding for the Gate Parkway and Deerwood Park Boulevard Intersection Improvements Project (“project”) to remedy a dangerous driving situation caused by significant settlement of pavement at the intersection, as initiated by B.T. 12-086; provides for a carryover of funds to Fiscal Year 2012-2013; amends the 2012-2016 five-year Capital Improvement Program, approved by Ordinance 2011-406-E, to provide funding for a new project entitled “Gate Pkwy Intersection Improvements/Deerwood Park Blvd” and reduce funding for the project entitled “Intersection Improvements, Bridges, Miscellaneous Construction;” provides for City oversight by the Public Works Department.

**Background Information:** This project is located in Council District 4. The settled condition of the intersection has created a dangerous driving situation. If the current situation remains, car and truck damage claims are likely. The proposed solution is to analyze the settlement, stabilize the underlying earth and restore the intersection pavement. The roadway depression presents a traffic hazard in that low-lying vehicles will scrape the road surface as they enter/exit the depressed area. The depression fills with water resulting in a potential hydroplaning situation. High speeding vehicles may lose control as they encounter the depressed area.

**Policy Impact:** Public Works/ PW Road Capital Projects

**Fiscal Impact:** The ordinance appropriates \$130,000.00

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-441

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation; Ordinance Code Amendment

**Bill Summary:** This ordinance appropriates \$201,268 in funds from the Florida Department of Law Enforcement for Fiscal Year 2012-2013 to be used only for advance and specialized training for law enforcement and correctional officers and for administrative costs approved by the Criminal Justice Standards and Training Commission; the ordinance amends Chapter 111 (Special Revenue and Trust Accounts), Part 3 (Public Safety and Courts), Section 111.335 (Criminal Justice Training Trust Fund), *Ordinance Code*, so as to establish an "All Years" trust fund in accordance with Section 943.25, *Florida Statutes*.

**Background Information:** The ordinance amendment stipulates that any undistributed funds shall not lapse at the close of any fiscal year but carryover to the next fiscal year. The City's and the State's fiscal years do not coincide. The "all years" trust fund means that funds in the Criminal Justice Training Trust Fund automatically carry over to the next fiscal years. Any appropriation from the funds will continue to require City Council approval.

**Policy Impact:** Jacksonville Sheriff's Office/Ordinance Code

**Fiscal Impact:** The ordinance appropriates \$201,268 in FDLE funds.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-442

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2011

**Type of Action:** Appropriation; CIP Amendment; Contract Approval

**Bill Summary:** The ordinance appropriates a grant award of \$1,346,313.87 under the Community Development Block Grant (CDBG) Program, 2008 Disaster Recovery Program, from the Department of Housing and Urban Development through the State of Florida Department of Economic Opportunity, to provide funding for the Lower Eastside Drainage Improvements Project ("project") so as to mitigate against future flood damage, as initiated by B.T. 12-088; provides for a carryover of funds to Fiscal Year 2012-2013; approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Disaster Recovery enhancement Fund Contract; the ordinance amends the 2012-2016 Five-Year Capital Improvement Program, approved by Ordinance 2011-406-E, to provide funding for a new project entitled "Lower Eastside Drainage Improvements; provides for City oversight by the Department of Public Works.

**Background Information:** The awarded grant funds that this ordinance appropriates provide flood and drainage repair, potable water lines and sewer improvements to the Lower Eastside, Council District 7. The project mitigates against future flood damage and is essential to the health, safety and welfare of the public. The project is fully funded and will require no City match.

**Policy Impact:** Public Works/ CDBG/Disaster Recovery Emergency Funds/Lower Eastside

**Fiscal Impact:** The ordinance appropriates \$1, 346313.87 in CDBG funds.

**Analyst:** Jackson



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**Bill Type and Number:** Ordinance 2012-443

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation; Agreement Authorization

**Bill Summary:** The ordinance accepts and appropriates a \$5,000.00 reimbursement grant from the Florida Inland Navigation District (FIND) to provide funding for litter prevention and education programs for Keep America Beautiful affiliates, as initiated by B.T. 12-089; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver an agreement between the City and FIND to implement the litter prevention and education programs.

**Background Information:** The grant period began October 1, 2011 and ends September 30, 2012. This is an annual clean-up event. The targeted areas for the clean-up program consist of the Beaches, the St. Johns River, tributaries, creeks and the IntraCoastal Waterway. Funding in this appropriation provides the clean-up volunteers with safety vests, grabbers, gloves and garbage bags.

**Policy Impact:** Neighborhoods Department/Clean It Up, Green It Up/Florida Inland Navigation District.

**Fiscal Impact:** The ordinance accepts and appropriates a reimbursement grant.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-444

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation; Ordinance Code Amendment

**Bill Summary:** The ordinance appropriates \$87,711 in contributions from private sources to the Learn2Earn Summer Programs at Jacksonville University and the University of North Florida; the ordinance amends Chapter 111 (Special Revenue and Trust Accounts), Part 8 (Education, Library and Children), *Ordinance Code*, to create a new Section 111.860 (Mayor's Education Initiative Trust Fund) to provide funds for promoting, enriching and enhancing education opportunities in Duval County.

**Background Information:** Funds from donations, grants and related sponsorships will be deposited in newly created trust fund accounts. The Mayor or his designee shall deposit into the fund donations and contributions received for use in achieving the objectives, functions and goals of the Education Initiative. Such donations and contributions shall be accounted for separately within the fund by the Chief Financial Officer or his designee. All sums placed into the fund, including all interest earned or accrued, shall be appropriated by the Education Program Manager with the review and approval of the Chief Financial Officer prior to expenditure.

**Policy Impact:** Finance/Office of the Director/Ordinance Code/Education/Initiative

**Fiscal Impact:** The ordinance appropriates \$87,711.00.

**Analyst:** Jackson

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2012-445

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$3,900,000 in unused General Fund grant match allocations (\$1,805,607.99) and interest on a state road project loan (\$2,094,392.01) as the first installment payment on the City's Medicaid backlog funding obligation.

**Background Information:** The 2012 Florida Legislature passed a law requiring cities and counties to make retroactive payments on accumulated Medicaid charges that the local governments dispute as being inaccurate. The accumulated "backlog" bills are payable over 5 years, with one-third of the total amount being due in 2012 and the remaining two-thirds spread over the next 4 years. The law provides that the state may withhold a local government's state revenue sharing if the backlog payments are not made. Cities and counties across the state strongly opposed the legislation and are considering filing a class action lawsuit against the state to halt or force changes to the program. The cities and counties contend the backlog of Medicaid bills is due to errors and inaccuracies in the state's billing system which bills Medicaid costs to the jurisdiction where the patient resides. Jacksonville currently pays approximately \$9.6 million per year in Medicaid hospital and nursing home costs for indigent citizens. The City's Medicaid backlog bill is approximately \$12 million.

The \$3.9 million being allocated to this expense comes from a combination of \$1.8 million of unspent City grant match funds for completed grant projects and approximately \$2.1 million in interest earnings on City funds loaned to the Florida Department of Transportation to incentivize the state to speed up work on state road projects within the city. The City's loaned funds to FDOT are repaid by the state with interest, which has been received in a lump sum and is available for expenditure.

**Policy Impact Area:** Medicaid "backlog" funding

**Fiscal Impact:** The bill appropriates \$3,900,000 in unused General Fund grant match allocations and interest on a state road project loan to Medicaid funding obligations.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-446

**Sponsor:** Council Member Gulliford:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$200,000 from the Council Operating Contingency and Lobbyist Fees to the ST. Johns River (Mayport) Ferry Commission Cash Carry Over Account to be used to operate, maintain and or improve the St. Johns River (Mayport) Ferry; provides for a carryover of funds to Fiscal Year 2012-2013.

**Note:** The source of funding cited in the ordinance's title is at variance with the source cited in the body of the bill.

**Background Information:** At its February, 2012 meeting, the Jacksonville Port Authority's Board of Directors decided that JaxPort would cease operating the St. Johns River (Mayport) Ferry September 30, 2012. The ferry had previously been operated by the City and the State of Florida, respectively. Viewing this development as detrimental to the area's economy and tourism, activists and officials organized a grassroots effort to find a viable way of keeping the ferry in operation. Funding is a key factor. A task force comprised of community activists was created. The City Council enacted legislation that created the St. Johns River Ferry Funding Ad Hoc Committee. The City Council subsequently created the St. Johns River Ferry Commission as an entity that could receive funds and operate the ferry. This ordinance appropriates funds to enable the St. Johns River Ferry Commission to operate, maintain or improve the ferry. JaxPort has previously committed \$200,000 to keep the ferry in operation and the hope is that the Florida Department of Transportation can make a commitment in the amount of \$300,000.

**Policy Impact:** St. Johns River Ferry Commission

**Fiscal Impact:** The ordinance appropriates \$200,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-447

**Introducer/Sponsor(s):** Council Member Holt

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$100,000 of JIA CRA funds previously appropriated for the First Coast High School swimming pool project to the North Florida Transportation Planning Organization to fund half of the cost of a rail corridor assessment study on the Northside. The appropriation provides that any unused funds after completion of the study shall be returned to the City.

**Background Information:** This appropriation accomplishes one of the purposes of pending Ordinance 2012-297. The original source of the funds for the 2006 appropriation was the JIA Community Redevelopment Area tax increment funds. The rail corridor study will examine alignment possibilities for a new rail line that would connect the proposed intermodal freight transfer center on Dames Point with a CSX trunk line on the Westside. The connector line would allow containers and other cargo delivered to Jaxport's Dames Point terminals to be placed on trains immediately adjacent to the port without the need for the cargo to be trucked to the CSX freight yard on the Westside for loading onto trains. The bill's sponsor has expressed a preference for the City and the North Florida TPO to fund the corridor study rather than the railroad so that the result reflects the community's desires, not the railroad's preference.

**Policy Impact Area:** Port operations; intermodal freight transfer

**Fiscal Impact:** The bill reappropriates \$100,000 from the First Coast High School swimming pool project.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-448

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** License Agreement Authorization

**Bill Summary:** This ordinance authorizes a License Agreement between the City and Northwest Support Services, Inc. to provide low impact capital improvements at the Robert F. Kennedy Park and Community Center; the ordinance authorizes the Mayor and Corporation Secretary to execute and deliver documents and to take further action to implement the purpose of this ordinance.

**Background Information:** Northwest Support Services is a certified minority business enterprise located in Council District 7. Northwest Support Services has received funding from the Environmental Protection Agency to develop a Green Infrastructure Demonstration Project. Northwest Support Services has designed a green infrastructure demonstration project for the Robert F. Kennedy Park & Community Center that consists of (a) an educational kiosk to be located to the west of the entrance of the center that will provide educational information for the community center consumers and for pedestrians/neighborhood citizens; (b) vertical gardens to be located on the face of the community center to either side of the entrance; and (c) rain barrels and water cans for use in the community center garden. The project is designed to treat and contain storm water; this is a component of the City's commitment to restore the health of the St. Johns River through compliance with the Lower St. Johns River Nutrient Basin Management Plan. The License Agreement enables Northwest Support Services to come on to City property to develop its demonstration project. The project site is located in Council District 7.

**Policy Impact:** Neighborhoods Department/Environmental Quality Division

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-449

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 636 – Traffic and Parking – to repeal the existing Part 4 – Red Light and Speed Violations – and enact a new Part 4 – Red Light Violations. The bill also amends Chapter 111 – Special Revenue and Trust Accounts – to create a new Sec. 111.397 – Sheriff’s Red Light Safety Revenue Fund.

**Background Information:** The amendments allow the City to implement a red light camera enforcement system in compliance with the Mark Wandall Traffic Safety Act passed by the Florida Legislature in 2010 that authorized the use of red light enforcement cameras in the state. That act preempts the regulation of automated red light enforcement cameras to the state, which invalidated much of the City’s former ordinance on the subject. The new section of the Traffic and Parking Code authorizes the Sheriff to implement and utilize traffic infraction detectors in accordance with state law to issuing notices of violations and/or traffic citations to enforce the State of Florida Uniform Traffic Code. The new special revenue fund is created to receive the revenues from such automated red light enforcement, with the Sheriff authorized to expend monies from the fund to provide for expenses of operating a traffic infraction detector program, as authorized by the Code. The Sheriff is required to make a detailed annual report to the City Council on the revenues and expenditures of the fund by August 15<sup>th</sup>, and to transfer into the General Fund by September 1<sup>st</sup> the amount of any net revenue over expenditures received into the trust fund during the last reporting period.

**Policy Impact Area:** Traffic safety; red light camera enforcement

**Fiscal Impact:** The Council Auditor reports that the administration has budgeted \$1.5 million in revenue from red light camera operations for the FY12-13 budget.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-450

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation; budget amendment; emergency action request

**Bill Summary:** The bill appropriates \$6,123,184 from savings in salary & salary-related expenses within the Sheriff's Office FY11-12 budget to a special council contingency fund to be applied toward the Mayor's proposed extraordinary lapse on the JSO's budget for FY12-13. Emergency action is requested to sequester the funds for appropriation as part of the FY12-13 budget hearing process.

**Background Information:** This bill is a successor to the withdrawn Ordinance 2012-401 which proposed to allocate \$5.156 million in JSO budget efficiency savings to pay down the department's Banking Fund debt (\$1.8 million) and to return the remainder of the funds to the City to help balance the shortfall in the current FY11-12 budget. The Mayor and Sheriff agreed during their budget negotiations to a lapse factor of \$10.6 million, which the Sheriff indicated would cause the elimination of approximately 300 positions. The Sheriff was recently quoted in the media as saying that an additional lapse of \$6.1 million would lead to the elimination of an additional 95 positions.

**Policy Impact Area:** JSO operations; City budget preparation

**Fiscal Impact:** The bill appropriates \$6,123,184 from savings in salary & salary-related expenses within the Sheriff's Office FY11-12 budget to a special council contingency fund.

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2012-451

**Sponsor:** The Transportation, Energy and Utilities Committee:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** The ordinance amends Chapter 30 (Planning Development Department), Section 30.204 (Functions), *Ordinance Code*, and Chapter 745 (Addressing and Street Naming Regulations), Sections 745.231 (Procedures to Notify Property Owners and Occupants of Duplicate Street Names and Out of Sequence Addresses) and 745.232 (Appeals), *Ordinance Code*, to supplement and clarify existing re-addressing display and appellate procedures including that all appeals of 911 addresses shall be heard by the Planning Commission.

**Background Information:** Numerous problems have been encountered by Fire & Rescue and emergency response teams in responding to emergency calls when property owners have out of sequence addresses and when there are duplicate street names. The Planning Department's 911 Emergency Addressing Advisory Committee met with property owners, Fire & Rescue officials and others in devising changes that are incorporated in the Ordinance Amendment. Adversely affected property owners (i.e., property owners who contend that having to change addresses entails the expense of new stationary, business cards, etc)) who want to appeal decisions of the 911 Emergency Addressing Advisory Committee will now appeal to the Planning Commission rather than the City Council. Property owners/residents/businesses must be notified of 911 Emergency Advisory Committee meetings in which their address is being discussed. Affected property owners, business owners and residents would not have to change their addresses until all appeals for that particular issue are heard and finalized. There would be a \$50.00 fee to defray the costs of the City for handling an appeal.

**Policy Impact:** Planning and Development Department/911 Emergency Addressing Advisory Committee

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-452

**Sponsor:** Council Member Holt:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$440,750.00 from Facility Mitigation Class I, for the purpose of providing improvements to the Town of Baldwin's Community Center/Hurricane Shelter (\$340,750) and Fire Station (\$100,000); provides for an accounting and reverter; provides that the Fire and Rescue Department oversee the project.

**NOTE:** an amendment is required to note that the source of the appropriation is the Trailridge Mitigation account.

**Background Information:** The Town of Baldwin is located in Council District 11. By this ordinance, the Town of Baldwin is to provide the City of Jacksonville a full accounting of all revenues and expenditures for the Community Center/Hurricane Shelter and Fire Station renovation projects. Any funds not utilized for the renovations shall be returned to the fund of origin.

**Policy Impact:** Town of Baldwin/Trailridge Mitigation Account

**Fiscal Impact:** The ordinance appropriates \$440,750.00

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-453

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Approval of collective bargaining agreement

**Bill Summary:** The bill approves a collective bargaining agreement between the City and non-professional employees represented by the American Federation of State, County and Municipal Employees (AFSCME) for a 3 year period from October 1, 2012 through September 30, 2015.

**Background Information:** The new agreement continues the existing 2% pay reduction for the three years of the contract and provides for a re-opening of negotiations in calendar year 2012 over pension benefits. The contract provides that the pay rate for a demoted employee shall be set at the discretion of the City instead of the current fixed 5% reduction, and provides for the creation of a Total Quality Partnership Committee with equal membership appointed by the City and the union to explore avenues for cost savings and operational improvements.

**Policy Impact Area:** Collective bargaining agreement

**Fiscal Impact:** The continuation of the 2% pay reduction is anticipated to save the City approximately \$4 million over the life of the contract.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-454

**Sponsor:** The Land Use and Zoning Committee:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Amendment Approval for Development Agreement

**Bill Summary:** The ordinance approves a fifth amendment to the Development Agreement between the City of Jacksonville and St. Luke's-St. Vincent's Healthcare, Inc. 1) to extend the duration of the Development Agreement to march 6, 2014, and 2) clarify the number of unused trips remaining for the development (CCAS No. 5748) known as "St. Luke's Hospital", consisting of approximately 48.84± acres located in Council District t4 at 4201 Belfort Road (R.E. No. 152576-0100), for a hospital use development, subject to a performance schedule and the payment of an annual renewal fee for the purpose of reserving traffic circulation capacity, pursuant to Part 2, Chapter 655, *Ordinance Code*.

**Background Information:** The ordinance extends the Development Agreement until such time that the developer is prepared to complete the project and the number of unused trips remaining for the development is clarified. The developer is required, per the Development Agreement and amendment, to pay an annual fee to reserve traffic circulation capacity. The Planning Department has recommended approval of the Fifth Amendment to the Development Agreement.

**Policy Impact:** Planning and Development Department

**Fiscal Impact:** Minimal

**Analyst:** Jackson

# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Ordinance 2012-455

**Sponsor:** The Land Use and Zoning Committee:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Ordinance Amendment

**Bill Summary:** The ordinance amends Resolution 89-821-339, as amended by Ordinances 2001-497-E, 2001-1156-E, 2003-596-E, 2005-878-E and 2007-1347-E, which approved a Development Order for Flagler Center (f/k/a Gran Park at Jacksonville), a Development of Regional Impact (DRI), pursuant to the notification of a proposed change to a previously approved Development of Regional Impact (NOPC) FILED BY Flagler Development Company, LLC, dated June 20, 2012, as revised July 6, 2012, to permit certain modifications to the DRI Development Order; finds that these changes do not constitute a substantial deviation from the originally approved DRI Development Order.

**Background Information:** Modifications in the Development Order for Flagler Center include (a) providing additional single family dwelling units (b) providing additional single family dwellings to the land use conversion table and minimum and maximum land use conversion table; (c) providing additional office square footage; (d) providing additional retail square footage; (e) providing a decrease in industrial acreage from 46 acres to 45 acres; (f) Modifying Conceptual Master Plan Map H to reflect the above changes; (g) extending the build out date and expiration date for the Combined Parcel as described in the DRI, to November 24, 2023 and November 24, 2028, respectively, and the Phase II, build out, termination and downzoning protection for the rest of the DRI to November 24, 2023.

**Policy Impact:** Planning & Development Department/Development of Regional Impact

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-456

**Introducer/Sponsor(s):** Council Member Schellenberg

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Authorization to execute communication tower lease; Ordinance Code waiver; establishing tower lease rate

**Bill Summary:** The bill authorizes the execution of a lease between the City and Towercom III, LLC for a communication tower site at Alberts Field on Brady Road. The bill waives the minimum lease rate for private towers on City property found in Ordinance Code Chapter 122 – Public Property – and authorizes a lease fee of \$1,200 per month for the tower and co-location fees of \$400 per month for the first co-location, \$500 per month for the second co-location, \$600 per month for the third co-location and \$700 per month for the fourth co-location.

**Background Information:** The Ordinance Code currently provides that the Chief of the Real Estate Division and the City department on which a communication tower is to be located shall jointly determine a fair market lease rate for the site, which shall be not less than \$25,000 per year with an annual lease escalator of either the inflation rate (increase in the Consumer Price Index) or 4%, whichever is greater. The Code also provides that the lessee shall pay the City a fee for each additional co-location of antennas which shall be either \$750 per month or 25% of the fee charged by the lessee to the co-locator, whichever is greater.

**Policy Impact Area:** Pricing of private communication tower leases on City property.

**Fiscal Impact:** The bill provides for a base lease rate of \$24,000 per year plus a variable fee for any co-located antennas.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-457

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Memoranda of Understanding Authorization

**Bill Summary:** The ordinance approves and authorizes the Director/Fire Chief of the Jacksonville Fire and Rescue Department (JFRD) to execute and deliver on behalf of the City, Memoranda of Understanding (MOU) between the City of Jacksonville and (1) Camsen Career Institute, (2) Commercial Diving Academy and (3) Bar Education, Inc. d/b/a Southeastern College for field training internships with JFRD; the ordinance designates a standard MOU for future use with schools whose students desire to participate in field training internships with JFRD; provides for and authorizes continued future use of such standard MOUs with no further action by City Council.

**Background Information:** Jacksonville area medical education facilities and schools, including medical, nursing and prehospital schools, require prehospital field education internships as part of their educational processes; many of the schools require their students to ride along fire and rescue vehicles during such internships as a requirement for graduation. JFRD provides rescue ride-alongs for EMS students at no cost to the City, but EMS programs must indemnify the City of Jacksonville. The medical schools and institutions are required to have all students sign a "Hold Harmless" agreement after the MOU has been executed. Any modification to the Standard MOU shall require City Council approval.

**Policy Impact:** Jacksonville Fire & Rescue Department

**Fiscal Impact:** Minimal

**Analyst:** Jackson

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Ordinance 2012-458

**Sponsor:** The Council President at the request of the Office of Economic Development:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Lease Agreement Authorization

**Bill Summary:** The ordinance authorizes the Mayor to execute a Lease Agreement between the City of Jacksonville and Lockheed Martin Corporation, a Maryland Corporation, for leased premises (Building #332) at Cecil Commerce Center; designates OED as monitor of the lease.

**NOTE:** References to the Jacksonville Economic Development Commission should have been deleted in the first "whereas" clause.

**Background Information:** The City of Jacksonville would like to enter into a Lease Agreement with Lockheed Martin Corporation concerning Building 3332 at Cecil Commerce Center. The purpose of the Agreement is to allow Lockheed Martin to operate a general office and ancillary uses. The facility will be occupied with up to 20 occupants, a majority being Lockheed employees and a couple of Homeland Security employees to assist with the contract administration. The facility is referenced as the Inventory Control Point (ICP) facility for the Maintenance Contract to manage Aircraft Modification/Replacement parts for the Homeland Security P-3 Inventory Parts for the duration of the Maintenance Contract.

**Policy Impact:** Office of Economic Development/Cecil Commerce Center

**Fiscal Impact:** Minimal

**Analyst:** Jackson



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**Bill Type and Number:** Ordinance 2012-459

**Sponsor:** The Council President at the request of the Office of Economic Development:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Lease Agreement Authorization

**Bill Summary:** This ordinance authorizes the Mayor to execute a Lease Agreement between the City of Jacksonville and Clear View Products, Southeast, Inc., a Florida Corporation, for leased premises (Building #905) at Cecil Commerce Center; designates the Office of Economic Development as monitor of the lease.

**Background Information:** The purpose of the Lease Agreement is to allow Clear View to operate an office and to manufacture screen systems. Clear View is based in Jacksonville. The company has recently begun to outgrow the building it currently occupies on the north side of Jacksonville. The larger building at Cecil Commerce Center would better accommodate the company's employees, most of whom live on the Westside.

**Policy Impact:** Office of Economic Development/Cecil Commerce Center

**Fiscal Impact:** Minimal

**Analyst:** Jackson

# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Ordinance 2012-460

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Franchise Grant

**Bill Summary:** The ordinance grants Waste Disposal Services, LLC, a non-residential solid waste collection and transportation franchise pursuant to Chapter 380 (Solid Waste Management), Part 6 (Nonresidential Solid Waste Collection and Transportation Franchise), *Ordinance Code*; provides conditions of the franchise.

**Background Information:** The application was reviewed by the Solid Waste Division of the Department of Public Works and the department recommends granting a non-residential solid waste collection and transportation franchise. Waste Disposal Services, LLC is composed of several individuals who have extensive experience and education in the operation of retail businesses. The applicant proposes to landfill all of the franchised waste it collects at the City's Trail Ridge Landfill and estimates that it will collect approximately 42 tons per month of solid waste. The applicant's corporate headquarters is located at 9944 Beach Boulevard.

**Policy Impact:** Public Works/Solid Waste

**Fiscal Impact:** The application was submitted with the appropriate fee of \$1,500.00.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-461

**Introducer/Sponsor(s):** Council Members Lumb and Love

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Authorization to execute Memorandum of Understanding with FDOT; designation of oversight department

**Bill Summary:** The bill authorizes the execution of a Memorandum of Understanding between the City and the Florida Department of Transportation for the City to utilize and maintain a parcel of FDOT property under I-95 in Riverside as an extension of Riverside Park for the installation of a dog park and/or other amenities. The bill designates the Public Works Department as the City's oversight agency.

**Background Information:** Preliminary plans drawn up in 2011 by a community group shows a 2-acre extension of Riverside Park under I-95, west of the existing highway retention pond. The proposal shows a fenced area for dogs with a 1/8 mile walking path around the perimeter, benches, and parking spaces on College Street. A private fund-raising campaign was anticipated.

**Policy Impact Area:** Recreational amenity expansion

**Fiscal Impact:** Undetermined

**Analyst:** Clements

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Ordinance 2012-462

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Right-of-Way Closure

**Bill Summary:** This ordinance closes, abandons and/or disclaims a portion of the 30-foot unopened and unimproved right-of-way of Parman Road, east of Old Middleburg Road in Council District 12, established via Plat Book 5, Page 93, Jacksonville Heights, recorded October 12, 1913, in public records of Duval County, at the request of Pamela and Robert Fore ("applicants") so as to allow the applicants to expand their residential property, subject to reservation unto the City of Jacksonville and JEA of an easement over the closed right-of-way for ingress and egress and for all utilities.

**Background Information:** The applicant has paid a closure application fee in the amount of \$1,500.00. The closure request was routed to all government agencies having an interest and there were no objects. The owner of the adjacent property, Michael Culbertson, had no objections to the closure.

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

**Fiscal Impact:** The applicant for the right-of-way closure has paid a closure application fee in the amount of \$1,500.00.

**Analyst:** Jackson

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2012-464

**Introducer/Sponsor(s):** Council Member Jones

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Ratification and validation of previous Cultural Services Grant allocation; direction to Council Auditor to remove agency from non-compliance list

**Bill Summary:** The bill ratifies and validates payments made by the City to the St. Johns River City Band via the Cultural Council to serve as the official city band from 1995 through 2010, recognizing that the payments took place in the form of a direct appropriation by the City Council rather than by a contract for services or the competitive Cultural Services grant process. The bill directs the Council Auditor to remove the River City Band from its funding recipient non-compliance list.

**Background Information:** For many years as part of the cultural services grant funding process, the City Council directed the Cultural Council to provide annual funding to the River City Band as a designated amount within the pool of funds allocated to the Cultural Services Grant process. The band did not apply through the cultural services grant process for an allocation of funding and did not comply with the provisions of Ordinance Code Chapter 118 – City Grants – that mandate certain eligibility requirements, require an annual funding contract, and require an annual financial report. Removal of the band from the non-compliance list will make the organization eligible to apply for future grant funding through the normal process.

**Policy Impact Area:** Cultural services grant eligibility and reporting requirements

**Fiscal Impact:** Removal of the band from the non-compliance list will make the organization eligible to apply for future grant funding through the normal process.

**Analyst:** Clements

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Resolution 2012-465

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Approving revisions to Comprehensive Emergency Management Plan; designation of oversight department

**Bill Summary:** The bill approves the latest set of revisions to the City's Comprehensive Emergency Management Plan as required by the Ordinance Code and state law pursuant to the City's participation in the National Incident Management System, and designates the Fire and Rescue Department as the oversight department for the work.

**Background Information:** The Comprehensive Emergency Management was originally adopted in 2002 and has been amended several times in the past 10 years. Substantive changes include an amendment to reflect the City's new wind speed zones as adopted via Ordinance 2012-214-E. Other substantive amendments involve a new section on the Recovery Branch dealing with post-disaster operations and other changes to ensure consistency with the National Disaster Housing Framework. The other changes update a variety of information within the plan, including dates, Census data (population, housing, etc.), land use changes, climate data, and information from other sources that reflect up-to-date conditions.

**Policy Impact Area:** Emergency preparedness planning

**Fiscal Impact:** None

**Analyst:** Clements

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Resolution 2012-466

**Sponsor:** Council Members Yarborough and Boyer:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Rescheduling Meetings

**Bill Summary:** The resolution reschedules the Council meeting of Tuesday August 14, 2012 to Wednesday, August 15, 2012; reschedules the Land Use and Zoning Committee meeting of Tuesday, November 6, 2012 to Wednesday, November 7, 2012; directs appropriate notification by the Chief of Legislative Services. *Emergency Passage is requested.*

**Background Information:** Tuesday, August 14, 2012 is a Primary Election day; the general/Presidential election is on Tuesday, November 6, 2012. Council Rules stipulate that Council meetings be rescheduled when those Council meeting dates fall on an election day. Accordingly, this resolution reschedules Council meetings that will coincide with election days in 2012, in observance of Council Rule 4.102.

**Policy Impact:** Council Rules

**Fiscal Impact:** Minimum

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2012-467

**Introducer/Sponsor(s):** Council Members Crescimbeni and Boyer

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Directing Office of General Counsel to commence litigation

**Bill Summary:** The bill directs the General Counsel to initiate litigation to determine if Clerk of the Courts Jim Fuller is eligible to stand as a candidate for re-election to the office given the Florida Supreme Court's recent ruling upholding locally-established term limits in a Broward County case.

**Background Information:** A recent Florida Supreme Court ruling reversed a previous 2002 ruling that had invalidated locally-initiated term limits on the office of Clerk of the Courts. The City never repealed its term limitation in the City Charter after the original Supreme Court ruling, so the limitation still exists and General Counsel Cindy Laquidara has ruled that it applies to current office holders. Clerk of the Courts Jim Fuller has filed qualifying papers to run for a fourth term as Clerk this fall. Ms. Laquidara told the Rules Committee that if Mr. Fuller insists that he is a qualified candidate and pursues election, a legal challenge by some party with appropriate standing will be needed to have the courts determine how the new ruling applies to current office holders. A party with appropriate legal standing may be another qualified candidate for the office, or it might be the City acting to protect and enforce the provisions of its Charter. Ms. Laquidara requires instructions from a client to initiate a legal challenge, which the bill's sponsors intend to do by this resolution.

**Policy Impact Area:** Term limitation; electoral qualification

**Fiscal Impact:** Supervisor of Elections Jerry Holland told the Rules Committee that the cost of a county-wide election is approximately \$900,000. If Mr. Fuller were to win re-election to the position and then be disqualified, the cost of a special election to replace him would be approximately \$900,000 if the matter was decided in the first election, or approximately \$1.8 million if a second round of voting was required.

**Analyst:** Clements



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**Bill Type and Number:** Resolution 2012-468

**Introducer/Sponsor(s):** Council Member Yarborough

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Directing City agencies to conduct study

**Bill Summary:** The bill directs the Office of General Counsel, City administration, Council Auditor's Office and Supervisor of Elections to coordinate a study of the suitability of the property at 816 Union Street West (the "Sax Property") to be utilized for the Supervisor's canvassing board and warehouse facilities and to explore the zoning, construction and financing options that may be available to construct a new elections facility at that site.

**Background Information:** The Supervisor of Elections' canvassing and warehousing functions are currently operated at the Gateway Center facility on Norwood Avenue. The building is in deteriorating condition and was nearly involved in a foreclosure proceeding by the current mortgage holder. The Supervisor has indicated his desire to move to a more suitable location after the current election cycle is completed. The Sax Property on Union Street between Davis and Jefferson Streets is the site of a never-opened restaurant that was partially funded by a City economic development incentive package.

**Policy Impact Area:** Elections operations

**Fiscal Impact:** Undetermined

**Analyst:** Clements

# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Resolution 2012-470

**Sponsor:** Council President Bishop

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 19, 2012

**Type of Action:** Reappointment Confirmation

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

**Background Information:** Downtown Vision, Inc. (DVI) is a not-for-profit 501(c)6 organization whose mission is to enhance the value of downtown properties by being an advocate for downtown businesses and to promote downtown as an exciting place to live, work, shop, play and be entertained. DVI's priorities include making Downtown Jacksonville cleaner, safer, more attractive, and marketing the downtown area through special events and other activities that encourage people to come downtown. DVI is funded by downtown property owners through a special business improvement district assessment, and by the City of Jacksonville. The district, which spans over 90 blocks of downtown, is bounded by Broad Street, Church Street, Market Street and Prudential Drive.

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 2012-471

**Sponsor:** Council President Bishop

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 19, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Council Member Greg Anderson as an ex-officio member of the Cultural Council and the Cultural Service Grant Committee, replacing Council member Warren A. Jones on 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.

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

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-472

**Sponsor:** Council President at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Allison Korman Shelton, as the chairperson of the Cultural Service Grant Committee, replacing Martin Wander for an unexpired term ending December 31, 2012, followed by a first full three-year term ending December 31, 2015.

**Background Information:** The Cultural Service Grant Committee is established pursuant to Sec. 118.605, *Ordinance Code*, and charged to recommend to the Cultural Council Board the organizations to be funded and the amount of funding under the Cultural Service Grant Program. The composition of the committee includes a chairperson appointed by the President of the Cultural Council Board and confirmed by the City Council.

Ms. Shelton received a bachelor's degree in political science from Florida State University and is the Director of Marketing and Community Relations with *Stellar*. She is currently the Chair of the Cultural Council of Greater Jacksonville, and has previously served on the Cultural Service Grant Committee, the Art in Public Places Committee and the Charter Revision Commission. Ms. Shelton resides in the Miramer area within Council District #5.

**Policy Impact Area:** Cultural Service Grant Program

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-473

**Sponsor:** Council President at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Elizabeth Augustus to the Cultural Service Grant Committee, replacing David Hemphill as a community representative, for a term ending December 31, 2014.

**Background Information:** The Cultural Service Grant Committee is established pursuant to Sec. 118.605, *Ordinance Code*, and charged to recommend to the Cultural Council Board the organizations to be funded and the amount of funding under the Cultural Service Grant Program. The composition of the committee includes five members of the community confirmed by the City Council.

Ms. Augustus received a bachelor's degree in American Studies from Skidmore College and is an active community volunteer. She resides in the Ortega Forest area within City Council District #14.

**Policy Impact Area:** Cultural Service Grant Program

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-474

**Sponsor:** Council President at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Juan M. Diaz to the Cultural Service Grant Committee, replacing Brandon Choy as a community representative, for a first term ending December 31, 2014.

**Background Information:** The Cultural Service Grant Committee is established pursuant to Sec. 118.605, *Ordinance Code*, and charged to recommend to the Cultural Council Board the organizations to be funded and the amount of funding under the Cultural Service Grant Program. The composition of the committee includes five members of the community confirmed by the City Council.

Mr. Diaz received a law degree from the University of Florida and is Counsel for *Safariland, LLC*. He has previously served on the Comcast Settlement Community Panel and the Public Service Grant Council. Mr. Diaz resides in the Miramer area within City Council District #5.

**Policy Impact Area:** Cultural Service Grant Committee Program

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-475

**Sponsor:** Council President at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of R. Abel Harding to the Cultural Service Grant Committee, replacing Devin Reed as a Cultural Council representative, for a first term ending December 31, 2014.

**Background Information:** The Cultural Service Grant Committee is established pursuant to Sec. 118.605, *Ordinance Code*, and charged to recommend to the Cultural Council Board organizations to be funded and the amount of funding under the Cultural Service Grant Program. The composition of the committee includes five members of the Cultural Council Board confirmed by the City Council.

Mr. Harding is the Vice President of Commercial Lending with *First Citizens Bank*. He is a board member of the Cultural Council of Greater Jacksonville and has previously served on the Arlington District Municipal Code Enforcement Board. Mr. Harding resides in the Springfield area within City Council District #7.

**Policy Impact Area:** Cultural Service Grant Program

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-476

**Sponsor:** Council President at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Kevin J. Holzendorf to the Cultural Service Grant Committee, replacing Douglas Brown as a Cultural Council representative, for an unexpired term ending December 31, 2012, followed by a first full three-year term ending December 31, 2015.

**Background Information:** The Cultural Service Grant Committee is established pursuant to Sec. 118.605, *Ordinance Code*, and charged to recommend to the Cultural Council Board the organizations to be funded and the amount of funding under the Cultural Service Grant Program. The composition of the committee includes five members of the Cultural Council Board confirmed by the City Council.

Mr. Holzendorf received a master's degree in public administration from the University of North Florida and is the Director of Operations and IT at *Greenshades Software, Inc.* He was employed with the City of Jacksonville, as the Chief Information Officer, during the previous administration. Mr. Holzendorf is a board member of the Cultural Council of Greater Jacksonville. He resides in the Cobblestone area within Council District #1.

**Policy Impact Area:** Cultural Service Grant Program

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2012-477

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 23, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Robert F. Spohrer as a member of the Jacksonville Port Authority (JPA), replacing Steve Busey, for a first term ending September 30, 2015.

**Background Information:** The JPA is established pursuant to Article 5, *Jacksonville Municipal Charter*, and charged to operate, manage, and control the seaport and ancillary facilities located within Duval County. Four of the seven members of the board are appointed by the Mayor of the City of Jacksonville with the confirmation of the Council of the City of Jacksonville.

Mr. Spohrer received a law degree from St. Louis University and is the President at *Spohrer & Dodd, P.L.* He resides in the Beauclerc area within Council District #6.

**Policy Impact Area:** Jacksonville Port Authority Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-478

**Sponsor:** Council President Bishop

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Council Member Lori N. Boyer to the Joint Planning Committee, replacing Council Member Robin Lumb as the City Council representative, for a term concurrent with the term of the Council President.

**Background Information:** The Joint Planning Committee is an advisory body to the Duval County Public Schools and the governing bodies of the cities, within the county, regarding the review of future growth patterns of Duval County; review of existing sites and identification of future sites and facility needs for schools, libraries, parks and community centers; consideration of future site-compatible community facilities; and review of the annual update of the Interlocal Agreement.

Resolution 2001-65-A, which created the Joint Planning Committee, provides for a Council Member representative on the Committee.

**Policy Impact Area:** Duval County Public Schools and City Council Joint Planning

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-479

**Sponsor:** Council President at the request of the Northwest District CPAC

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Northwest District Citizens Planning Advisory Committee's appointment of Leroy C. Kelly to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, replacing Melodee Dew, for an unexpired term ending June 30, 2014.

**Background Information:** The TRUE Commission is established pursuant to Chapter 57, *Ordinance Code*, and charged to act as an advisory body to the city concerning fiscal policy and may review any aspect of fiscal policy, including: the city's long-range financial soundness, planning budgeting, and management; the city's budgetary process, including taxation, revenue generation, expenditures, use of permit fees and user fees, bonding capacity, franchise fees, state and federal mandates, privatization, "zero based" financing and other similar topics; the appropriateness of each revenue source the city receives to make up its annual general revenue budget; potential new revenue sources, such as impact fees, and the use of any such funds; the pre- and post-retirement benefit structure for city employees and the potential impact on the financial status of the city; recommendations that will help make Jacksonville the most fairly-taxed and financially-sound city in the nation; recommendations to keep the public better informed about important issues of city financing and budgeting which affect their lives; and other areas as the commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council. Mr. Kelly received a master's degree in education from Florida A & M University and is Pastor of *West Union Missionary Baptist Church*. He resides in the Lincoln Hills area within Council District #10 in Planning District #5 (Northwest).

**Policy Impact Area:** TRUE Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-480

**Sponsor:** Council President at the request of the Southeast District CPAC

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Southeast District Citizens Planning Advisory Committee's reappointment of Gamal S. Lyons to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, for a second three-year term ending June 30, 2015.

**Background Information:** The TRUE Commission is established pursuant to Chapter 57, *Ordinance Code*, and charged to act as an advisory body to the city concerning fiscal policy and may review any aspect of fiscal policy, including: the city's long-range financial soundness, planning budgeting, and management; the city's budgetary process, including taxation, revenue generation, expenditures, use of permit fees and user fees, bonding capacity, franchise fees, state and federal mandates, privatization, "zero based" financing and other similar topics; the appropriateness of each revenue source the city receives to make up its annual general revenue budget; potential new revenue sources, such as impact fees, and the use of any such funds; the pre- and post-retirement benefit structure for city employees and the potential impact on the financial status of the city; recommendations that will help make Jacksonville the most fairly-taxed and financially-sound city in the nation; recommendations to keep the public better informed about important issues of city financing and budgeting which affect their lives; and other areas as the commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council. Mr. Lyons received a bachelor's degree in business administration from Jacksonville University and is a District Sales Manager with *Western & Southern Life*. He currently serves on the Southeast CPAC and previously served on the Southeast Municipal Code Enforcement Board and the Stormwater Advisory Committee. He resides in the Julington Creek area within Council District #6 in Planning District #3 (Southeast).

**Attendance:** According to records provided by the staff for the TRUE Commission, Mr. Lyons has attended 61% of the meetings of the commission since his initial appointment in 2010.

	Meetings Attended	Meetings Held
2010	4	5
2011	5	12
2012	5	6
Total	14	23

**Policy Impact Area:** TRUE Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-481

**Sponsor:** Council Member Redman

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 20, 2012

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Joel T. Clark to the Jacksonville-Duval County Council on Elder Affairs, replacing Gordon Touchton as the representative for Council District 4, for a first two-year term ending June 30, 2014.

**Background Information:** The Jacksonville-Duval County Council on Elder Affairs is established pursuant to Chapter 82, *Ordinance Code*, and charged to serve as an advocate, for the older persons in the city, to the governmental agencies responsible for the various plans and programs designed to help older persons; assist in the implementation of plans and programs selected by regional organizations, as they relate to the city and its citizens; and designate priorities among programs developed in the city by public, nonprofit and private providers concerning older persons. Section 82.101, *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. Clark is retired from the NAS Jax Fire Department and is an active community volunteer. He resides within Council District #4.

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

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-482

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 23, 2012

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Angela V. Schifanella as a member of the Jacksonville Historic Preservation Commission, as an architect representative, for a second three-year term ending March 4, 2015.

**Background Information:** The Jacksonville Historic Preservation Commission is established pursuant to Chapter 76, *Ordinance Code*, and charged to conduct an ongoing survey and inventory of historic buildings, areas, and archaeological sites in the City of Jacksonville and to plan for their preservation; identify potential landmarks and potential landmark sites and to make recommendations to the City Council as to whether such should be officially designated; recommend that the City Council designate specified areas as historic districts and to identify which structures should be considered to be contributing structures; develop specific guidelines for the alteration, construction, relocation or removal of designated property; promulgate standards for architectural review which are consistent with standards for rehabilitation established by the United States Secretary of the Interior; approve or deny applications for certificate of appropriateness for alteration, construction, demolition, relocation or removal of landmarks, landmark sites, and property in historic districts; initiate plans for the preservation and rehabilitation of individual historic buildings; undertake public information programs including the preparation of publications and the placing of historic markers; conduct public hearings to consider historic preservation issues, the designation of landmarks, landmark sites, and historic districts, applications for certificate of appropriateness and nominations to the National Register of Historic Places; and administer Chapter 307, *Ordinance Code*.

Section 76.102, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council.

Ms. Schifanella received a master's degree in architecture from Harvard University and is a Florida Licensed Architect in private practice. She resides in the Avondale area within Council District #14.

**Policy Impact Area:** Jacksonville Historical Preservation Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Resolution 2012-483

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 25, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Isaiah Rumlin as a member of the Jacksonville Transportation Authority (JTA), replacing Cleve Warren, for a first full four-year term ending May 30, 2016.

**Background Information:** The JTA is established pursuant to Chapter 349, *Florida Statutes*, and charged to acquire, hold, construct, improve, maintain, operate, own, and lease the Jacksonville Expressway System; and the JTA may acquire, hold, construct, improve, operate, maintain, and lease a mass transit system; and plan, develop, finance, construct, own, lease, purchase, operate, maintain, relocate, equip, repair, and manage those public transportation projects, such as express bus services; bus rapid transit services; light rail, commuter rail, heavy rail, or other transit services; ferry services; transit stations; park-and-ride lots; transit-oriented development nodes; or feeder roads, reliever roads, connector roads, bypasses, or appurtenant facilities, that are intended to address critical transportation needs or concerns in the Jacksonville; in addition to the other powers and duties provided, JTA shall have the power and responsibility to formulate and implement a plan for a mass transit system that will serve Duval County and the greater Jacksonville area.

Pursuant to Sec. 349.03(2), *Florida Statutes*, three of the seven members of the board are appointed by the Mayor of the City of Jacksonville subject to confirmation by the Council of the City of Jacksonville.

Mr. Rumlin received a bachelor's degree in general agriculture from Florida A&M University and operates *Rumlin Insurance Agency*. He is the President of the Jacksonville Branch of the *NAACP*. Mr. Rumlin resides in the Monclair area within Council District #5.

**Policy Impact Area:** Jacksonville Port Authority Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-484

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 23, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Kurtis R. Wilson as Chief of Fire Prevention, within the Fire and Rescue Department.

**Background Information:** Section 31.502, *Ordinance Code*, provides that the Chief of Fire Prevention shall have at least five years' experience in the administration, training or management of fire fighting, emergency medical or rescue personnel, fire code enforcement, equipment and apparatus.

Chief Wilson received a bachelor's degree in administration from Flagler College. He has been employed with the City, within the Fire and Rescue Department, since 1994, working his way up from Firefighter to Fire Captain in 2004, a position he held until his appointment as Chief of Fire Administrative Services in 2010. The Fire Administrative Services Division was deleted via 2011-732-E, as part to the administration reorganization, and Chief Wilson has been the Acting Chief of Fire Prevention since October 1, 2011.

**Policy Impact Area:** Fire & Rescue Department / Fire Prevention Division operations

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

**Analyst:** Welsh



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**Bill Type and Number:** Ordinance 2012-487

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

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Approval of economic development agreement; commitment to appropriate QTI matching funds; approval of REV grant

**Bill Summary:** The bill approves an economic development agreement between the City and DB Services New Jersey, Inc., DB Services Americas, Inc. and Deutsche Bank Securities, Inc. (all American subsidiaries of Deutsche Bank of Germany) to support an expansion of the bank's finance and technology operations in Jacksonville which will add 260 new jobs at an average wage of \$52,722. The bill commits to support a QTI application to the state and local financial support of up to \$260,000 (\$5,000 per job, 20% of the overall QTI amount). The bill commits to a REV grant of \$145,000. The Office of Economic Development is designated as the oversight agency for the agreement and to handle the City's responsibilities thereunder.

**Background Information:** Deutsche Bank currently has approximately 1,000 employees in Jacksonville at its facility on Gate Parkway. The company plans to lease and renovate 30,000 square feet of existing office space in the Meridian Office Park (in addition to 125,000 sq.ft. already occupied) and to add 260 new jobs to the existing 1,000 over the course of 3 years (year 1 – 50, year 2 – 75 additional, year 3 – 135 additional). Annual payroll for the new jobs is projected to produce new annual payroll of \$18.2 million. The REV grant of up to \$145,000 represents 35% of the new ad valorem taxes on leasehold improvements and tangible personal property resulting from the expansion.

**Policy Impact Area:** Economic development

**Fiscal Impact:** The bill commits the City to the future payment of up to \$260,000 in QTI local match (20% match to the state's 80%) and up to \$145,000 in a REV grant based on new property taxes paid.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-489

**Sponsor:** The Council President at the request of the Office of Economic Development:

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 27, 2012

**Type of Action:** Lease Agreement Authorization

**Bill Summary:** The ordinance authorizes the Mayor to execute a Lease Agreement between the City of Jacksonville and the M & T Company, a Pennsylvania Corporation, for leased premises (Building #900) at Cecil Commerce Center; designates the Office of Economic Development as monitor of the lease.

**Background Information:** M&T Company has leased two industrial buildings at Cecil Commerce Center (Buildings 959 and 907). M&T has recently decided to close its other Northeast Florida office, located in the Orange Park area, and consolidate all of its employees in one building at Cecil Commerce Center. M&T would like to lease the vacant portion on Building 900. M&T's operation focuses on engineering and light electronics manufacturing for the aviation industry. Some of its current clients include: NAVAIR, Warner Robins ALC, Boeing and Physical Optics Corporation.

**Policy Impact:** Office of Economic Development

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2012-490

**Introducer/Sponsor(s):** Council Member Crescimbeni

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$149,820 from the Special City Council Contingency – JEDC account to the Office of Economic Development to provide funding for mandatory environmental monitoring activities at the Jacksonville Shipyards (\$99,820) and the Gefen Park/Fire Station #5 in Riverside (\$50,000).

**Background Information:** As part of the process of reorganizing the City's economic development structure and activities, the City Council moved the funding for the JEDC/Office of Economic Development's operations for the remainder of FY11-12 to a special council reserve account until the reorganization could be completed. Included within that budgetary sweep was funding allocated for environmental monitoring and remediation work at the Jacksonville Shipyards property downtown and at the Gefen Park/Fire Station #5 site on Riverside Avenue at Forest Street. The Florida Department of Environmental Protection has informed the City that the monitoring and remediation work at those sites must continue in a timely manner, thus the request for release of these funds for that specific purpose prior to the release of the remainder of the OED's funding.

**Policy Impact Area:** Environmental monitoring and remediation

**Fiscal Impact:** The bill appropriates \$149,820 of the JEDC/OED's sequestered funding from the Special City Council Contingency – JEDC account.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-491

**Introducer/Sponsor(s):** Council Member Crescimbeni

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Authorization of straw ballot referendum; instruction to Supervisor of Elections; request for emergency action

**Bill Summary:** The bill authorizes the use of a “straw ballot” referendum on the November general election ballot to poll the voters about whether the City Charter should be amended by the Florida Legislature to change the selection method for one of the members of the Police and Fire Pension Fund board of trustees. The bill directs the Supervisor of Elections to place the straw ballot question on the November general election ballot and to advertise the referendum question in a newspaper of general circulation at least twice prior to the election. Emergency action is requested on the bill so that the Supervisor of Elections can be notified in a timely manner to process and advertise the referendum for the November ballot.

**Background Information:** The Charter currently provides the following selection methods for the 5 members of the Police and Fire Pension Fund board: 1 firefighter elected by the firefighter members of the plan; 1 police officer elected by the police officer members of the plan; 2 members appointed by the City Council; and 1 member selected by mutual agreement of the other 4 members. The Florida Legislature in Chap. 2011-216, Laws of Florida, authorized local governments to change the municipal representation of police and fire pension fund boards “only if such change does not reduce the membership percentage of firefighters, or firefighters and police officers, or the membership percentage of the municipal representation.” Ordinance 2002-203 proposed to amend the City Charter to replace the trustee-selected member of the board with a third member appointed by the City Council. The Florida Division of Retirement, when asked for an advisory opinion on whether the proposed change was permissible, stated that the change may have to be approved by the Florida Legislature. This bill calls for an advisory referendum to poll voter sentiment about whether the City Council should request the Duval Delegation to amend the City Charter by J-bill to change the selection method for the fifth trustee.

**Policy Impact Area:** Police and Fire Pension Fund governance

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-492

**Introducer/Sponsor(s):** Council Member Holt

**Date of Introduction:** July 24, 2012

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

**Date of Analysis:** July 26, 2012

**Type of Action:** Appropriation; authorizing amendment to previous fair share agreement; authorizing execution of development agreement; CIP amendment; declaration of need for mid-year CIP amendment

**Bill Summary:** The bill appropriates \$10,000,000 from the JIA/CRA tax increment district account to allocate funding to the Duval Road expansion project (\$375,000) and to the JIA North Access Road project (\$9,625,000). The funding for the projects will carry-over to the succeeding fiscal year. The bill approves a Third Amendment to the Duval Road Fair Share Agreement between the City and Signature Land, Inc./Signature Parkway, LLP for the Duval Road project. It also authorizes the execution of a JIA/CRA Proposed Improvements Development Agreement between the City and BKJ Development Partners, LLC for the JIA North Access Road project. Finally, the bill amends the 2012-16 Capital Improvement Program to reflect the revised cost of the Duval Road Improvements and declares the need for a mid-year CIP amendment so that the JIA/CRA funds can be encumbered for the project and not swept into the General Fund and lost to the tax increment district as a result of not being expended on a CRA project within the fiscal year.

**Background Information:** The Third Amendment to the Duval Road fair share agreement reflects a new JIA/CRA contribution of tax increment funds to the road widening project, reduces the developer's fair share credits in recognition of a smaller contribution, and returns the project completion date to the original deadline of Jun 30, 2013. A recent Second Amendment (2012-101-E) to the fair share agreement had split the project into 2 phases to be completed in June 2013 and June 2015 and increased the developer's contribution and fair share credits from the project. The addition of JIA/CRA funding removes the need to phase the project so that the original completion date of June 2013 can be restored and reduces the developer's contribution and consequent fair share credits.

The cost of the JIA North Access Road project is estimated at over \$45 million. This \$9.6 million appropriation, along with TPO federal funds and private developer funding, will be used to leverage quicker action by FDOT on the project.

**Policy Impact Area:** JIA/CRA tax increment funding uses; Northside roadway improvements

**Fiscal Impact:** The bill appropriates \$10 million from the JIA/CRA tax increment account to the Duval Road expansion project (\$375,000) and to the JIA North Access Road project (\$9,625,000). It also recognizes the JIA/CRA's contribution to the Duval Road widening project and reduces the developer's fair share credits accordingly.

**Analyst:** Clements