

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-401

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

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 City operations for 2012, based on certified taxable values provided by the Property Appraiser, as follows:

General Services District (GSD - countywide), excluding Urban Services Districts 2 – 5: 10.7688 mills
GSD within USD 2 (Jax Beach), USD 3 (Atlantic Beach), and USD 4 (Neptune Beach): 7.2074 mills
GSD within USD 5 (Baldwin): 9.2315 mills

The bill proposes the following millage rates to fund the Mayor’s proposed FY 2010-11 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 13 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.

Policy Impact Area: Property tax millage levy

Fiscal Impact: Provides for the levy of ad valorem property taxes calculated to produce \$473,405,615.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-402

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

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 2011 tax year for GSD operations (excluding the Beaches and Baldwin) at a rate of 10.0353 mills, which represents a 6.81% decrease from the 2011 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 \$45,994,916,843 for tax year 2011 (down 5.5% from current year taxable value). The millage for GSD operations in the majority of the city represents an unchanged millage rate from 2010.

Policy Impact Area: Property tax millage levy

Fiscal Impact: Total ad valorem property taxes (real and personal) are projected to generate \$473,405,615 million at a collection rate of 95.5%.

Analyst: Clements

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117 West Duval Street
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Bill Type and Number: Ordinance 2011-403

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

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 2011 tax year for GSD operations in Atlantic Beach, Neptune Beach and Jacksonville Beach at a rate of 6.7466 mills, which represents a 6.42% decrease from the 2011 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 \$4,475,060,850 for tax year 2011 (down 7.5% from 2010). The millage for GSD operations in the Beaches cities represents an unchanged rate from tax year 2010.

Policy Impact Area: Property tax millage levy

Fiscal Impact: Total ad valorem property taxes (real and personal) are projected to generate \$30,191,446 at a collection rate of 95.5%.

Analyst: Clements

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Chief of Research
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Bill Type and Number: Ordinance 2011-404

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

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 2011 tax year for GSD operations in the Town of Baldwin at a rate of 8.4472 mills, which represents an 8.5% decrease from the 2011 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 \$45,208,067 for tax year 2011 (down 6.9% from 2010). The millage for GSD operations in the Town of Baldwin represents an unchanged rate from tax year 2010.

Policy Impact Area: Property tax millage levy

Fiscal Impact: Total ad valorem property taxes (real and personal) are projected to generate \$381,882 at a collection rate of 95.5%.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-405

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 15, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

Type of Action: Adoption of FY2011-12 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 2011-12 budgets for the City and its independent agencies and authorities. The proposed General Fund departmental expenditure budget is \$849,326,595, with a total City departmental expenditure budget (General, Special Revenue, Capital Projects, Enterprise, Internal Service, and Trust and Agency Funds) of \$1,621,657,171. Non-departmental expenditures, inter-fund transfers and reserves are budgeted at \$372,135,566, for total appropriations, reserves and cash carryover of \$1,003,792,737.

The bill sets an employee cap of 7,734 positions and redlines 5 positions to be eliminated when they become vacant (Welding Shop Supervisor, Fleet Superintendent, Deputy Director of Central Operations, Deputy Director of Planning and Development, Deputy Director of Public Works). The 5-year financial projection estimates the City's General Fund revenues to grow from \$962,548,308 million (proposed) in FY11-12 to \$963,385,612 next year, and then gradually increase to \$1,026,083,203 by FY15-16 for a total increase of 6.6% over the five year period, with property taxes, JEA contribution and sales taxes providing the bulk of the growth. It establishes a Public Service Grant program allocating \$6,281,524. The bill sets the employer's contributions (percentage of covered payroll) to the various pension plans at 13.5% for the General Employees Pension Fund, 49.6% for the Police and Fire Pension Fund, and 31.78% 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.

Background Information:

Policy Impact Area: Annual budget adoption

Fiscal Impact: The proposed General Fund departmental expenditure budget is \$849,326,595, with a total City departmental expenditure budget (General, Special Revenue, Capital Projects, Enterprise, Internal Service, and Trust and Agency Funds) of \$1,621,657,171. Non-departmental expenditures, inter-fund transfers and reserves are budgeted at \$372,135,566, for total appropriations, reserves and cash carryover of \$1,993,792,737. The total budgetary approval, operations and capital, for the City and the independent authorities, is approximately \$4.69 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 2011-0406

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 15, 2011

Committee(s) of Reference: F

Date of Analysis: July 228, 2011

Type of Action: Adoption of 5-year CIP; modification of the 2012 Comprehensive Plan

Bill Summary: The bill adopts the 2012-16 Capital Improvement Program for the city and provides for the amendment of the Capital Improvements Element of the 2012 Comprehensive Plan to reflect the revised CIP project list. The CIP's 2011-12 element of the five year plan includes \$61,980,000 for City projects ranging from ash site remediation to river bulkhead assessment and from road resurfacing to septic tank phaseouts. The largest projects planned for construction in FY11-12 are ash site remediation (\$25 million), road resurfacing (\$12,000,000) and countywide drainage system rehab (\$6,000,000). The 5-year plan totals \$299,488,024.

The bill also lists capital projects of the JEA, JAA, JPA, JTA and School Board totaling \$3,231,364,781 over the 5 year period, much of which (\$1.51 billion) is attributable to the JEA, including several very large electricity generation and distribution projects and water and sewer treatment and distribution projects.

Background Information: The Capital Improvement Program is the City's 5-year schedule of planned capital improvements and their funding sources. The 2012 Comprehensive Plan's Capital Improvements Element is required to be amended each year when the revised 5-year CIP is adopted in order to synchronize the documents.

Policy Impact Area: Capital project budgeting

Fiscal Impact: The CIP estimates total City project costs over the next 5 years at \$299,488,024.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-443

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: RCDPHS, LUZ

Date of Analysis: July 28, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 250 – Miscellaneous Business Regulations – within Part 8 - Downtown Sidewalk Cafes – in order to change the name of the “Bay Street Town Center Entertainment Zone” to “E-Town Zone” and to allow the bars within the E-Town Zone to have outdoor tables located on public rights-of-way on designated blocks of Bay, Forsyth, Ocean, Adams, Newnan and Market Streets. The bill also changes the name of Part 8 to Downtown Sidewalk Cafes and Bars and allows bars to have outdoor seating on the same basis as downtown sidewalk cafes.

Background Information: The E-Town Zone encompasses Bay Street from Liberty to Ocean, Forsyth Street from Liberty to Main, Ocean Street from Bay to Adams, Adam Street from Newnan to Main, Newnan Street from Bay to Forsyth, and Market Street from Bay to Forsyth. Permits for sidewalk seating may only be granted where there is sufficient sidewalk width to permit unobstructed pedestrian passage and where the seating will not interfere with bus stops, fire exits, fire hydrants, or building entry. A barrier is required to separate the sidewalk seating from the pedestrian thoroughfare whenever the outdoor seating is in use, and the outdoor seating permit prohibits cooking, storing or preparing food or beverages – the seating area is to be solely for customer consumption of food or beverages. The City reserves the right to prohibit sidewalk seating when public events drawing substantial crowds are planned for the area and to suspend or revoke the permit for cause.

Policy Impact Area: Downtown revitalization

Fiscal Impact: A small amount of revenue will be received from permit fees.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-444

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: RCDPHS

Date of Analysis: July 28, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 342.110, Ordinance Code, to establish a category for Windows and Doors Specialty Contractor for contractors whose practice and scope of work are limited to the installation, repair, fabrication, erection, alteration, addition to or design of exterior doors, windows, shutters, and associated accessories. The Construction Trades Qualifying Board (CTQB) is permitted to establish a relative certificate of competency classification, adopt regulating rules, and issue certificates of competency upon passing both the trade and contractor administration examinations with a grade of 75 or above. This same section is also amended to establish a category for Plastering and Stucco Specialty Contractor for contractors whose practice and scope of work are limited to the application of sand or other aggregate, plaster, gypsum, Portland cement, quick lime, and water, or any combination of these materials, to create a surface which offers a mechanical key support of such coatings or to which such coatings will adhere by suction, and to provide key or suction basis necessary and incidental to the support of such coatings. The CTQB is permitted to establish a relative certificate of competency classification, adopt regulating rules, and issue certificates of competency upon passing both the trade and contractor administration examinations with a grade of 75 or above. Upon payment of the fee and completion of the application, provided that it can be verified that the individual has at least 2 years of experience in performing plastering and stucco work as of June 1, 2011, the CTQB shall issue a Plastering and Stucco Specialty Contractor Certificate of Competency without examination; however, application for this grandfather provision must be made no later than June 1, 2012.

Background Information: The CTQB has voted to recommend these two additional categories. According to information on file, due to changes in the Florida Building Code, exterior doors and windows require permits and inspections, and this amendment would help the local niche industry of door and window contractors who are currently operating illegally. Also, it is stated that the Building Inspection Division requested the new Plastering and Stucco Specialty Contractor category in an effort to address the continuing problem of moisture infiltration in residential construction.

Policy Impact Area: Construction Trades Regulations

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-445

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 28, 2011

Type of Action: Appropriation Deauthorization; CIP Amendment

Bill Summary: This bill adopts findings, rescinds Ordinance 2008-953-E, and deauthorizes an appropriation of \$100,000 in the 2008-2009 operating budget for the funding of the Lower Eastside Drainage Improvements Phase III Project under Agreement LP8933 between the City and the Florida Department of Environmental Protection (FDEP). It is stated that the \$100,000 grant from FDEP provided only partial funding for the project, and it is provided that any remaining funds in the project account shall not lapse but carryover to fiscal year 2011-2012. Additionally, the Five-Year Capital Improvement Program is amended to reduce funding for the Lower Eastside Drainage Improvements Phase III project.

Background Information: Ordinance 2008-953-E appropriated \$100,000 in grant funding from FDEP for the project. By letter dated June 1, 2011, FDEP notified the City that the Fiscal Year 2011-2012 General Appropriations Act provided for reversion of \$100,000 from the City's fiscal year 2008-2009 appropriation for Agreement LP8933.

Policy Impact Area: Public Works; Capital Improvements

Fiscal Impact: Undetermined; an appropriation of \$100,000 is deauthorized by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-2011-0446

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: RCDPHS

Date of Analysis: July 29, 2011

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant. The ordinance appropriates \$75,000 from the Florida Department of Community Affairs, Residential Construction Mitigation Program, for State Fiscal Year 2011-2012 to provide funds to undertake retrofitting measures to strengthen seven existing homes of low and moderate income residents and lessen potential damages from high-wind storms, as initiated by B.T. 11-114; the ordinance provides for a carryover of funds from year to year until such funds are expended or lapse according to the originating State of Federal program grant; the ordinance authorizes the Mayor, or his designee, and Corporation Secretary to execute and deliver documents and to take further action to implement the purpose of this ordinance.

Background: The seven homes identified for the retrofitting measures are scattered, older neighborhoods. The seven homes are taken from an existing list that the Department of Housing and Neighborhoods/Housing Services Division maintains.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division

Fiscal Impact: This ordinance appropriates \$75,000 in State funding

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-447

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

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

Date of Analysis: July 29, 2011

Type of Action: Appropriation; Agreement Authorization

Bill Summary: This ordinance appropriates \$5,000.00 from the Florida Inland Navigation District (F.I.N.D.) to provide funding for litter prevention and education programs for the Keep America Beautiful affiliates, as initiated by B.T. 11-116; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver agreement between the City and the Florida Inland Navigation District to implement such litter prevention and education programs.

NOTE: *Though it is not indicated in the ordinance's title, emergency action is requested. Justification for the emergency is: deadline for grant purchases is September 30. Purchases must be made before September 30, 2011. Exception-Grant requires four purchase orders after procurement deadline.*

Background: Funding appropriated by this legislation is a portion of the assistance needed for the 2011 Waterway Cleanup program in Duval County including the St. Johns River, its tributaries and the IntraCoastal Waterway. The Funding provides for the purchase of cleanup support materials such as gloves, litter pick up tools and printed safety vests and t-shirts for volunteers. Breakdown of the expenditure: safety vests for volunteers, \$1,500.00; grabbers for volunteers, \$622.00; gloves for volunteers, \$428.00; t-shirts, \$2,450.00. The grant period began March 2011 and ends September 30, 2011.

Policy Impact: Environmental & Compliance Department/Clean It Up/Green It Up/Florida Inland Navigation District.

Fiscal Impact: This ordinance appropriates \$5,000.00 in an F.I.N.D. reimbursement grant to the City.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-448

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

Type of Action: Bond issue authorization; appropriation

Bill Summary: The bill authorizes the JEA to issue up to \$220,000,000 in water and sewer system revenue bonds, subordinated indebtedness, or a combination thereof to provide for improvements, extensions and additions to the utility's water and sewer systems. The bill also authorizes the JEA to issue up to \$1.2 billion in water and sewer system revenue bonds or subordinated indebtedness for the purpose of refunding existing bonds and other debt forms. The bill appropriates the funds generated by the bond sales for the purposes specifically described in the bond resolution and subordinated bond resolution.

Background Information: The JEA requests authorization from the City to issue new money and refunding bonds in order to provide funding for continuation of construction of the utility's 5-year Water and Sewer System capital plan and to provide the ability to refund existing borrowing should interest rates and other market conditions make that a prudent course of action. The most recent approvals for water and sewer system debt issuance were in 2006 (\$500 million in debt refinancing authorization) and 2007 (\$250 million in new money authorization). The JEA water and sewer system currently has \$2,057,502,785 in outstanding bonds.

Policy Impact Area: JEA revenue bond authorization

Fiscal Impact: The bill authorizes the issuance of up to \$220 million in "new money" revenue bonds for capital expenditure purposes and up to \$1.2 billion in refunding bond capacity.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-449

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: July 29, 2011

Type of Action: Authorization for Agreements

Bill Summary: This ordinance authorizes the Director of Environmental and Compliance or his designee to execute an access license on the City's behalf to perform sampling at property located at 201 Monument Road; the ordinance authorizes the Director of Environmental and Compliance, or his designee, to execute future access agreements on the City's behalf to perform environmental assessments or remediation.

Background: While working on the grounds of Fire Station #30, located at 9737 First Federal Drive, in Arlington, the City found that the grounds were contaminated owing to the removal of underground storage tanks on the property, storage tanks that had stored petroleum. The City discovered that the contamination could be located off-site, on the adjacent property located at 201 Monument Rd, currently owned by Ocean Front IV, LLC. The current owner is requiring that the City enter into a site access license that grants the City authority to perform sampling activities; the City may be required to perform remediation. As the City often needs access to properties that it does not own to complete environmental assessments, this ordinance delegates continuing executive authority to the Director of Environmental and Compliance to enter into site access agreements for assessment and remediation activities without having to repeatedly come back to the City Council for a grant of authority. The ordinance stipulates that all Site Access Agreements would have to be reviewed and approved by the Office of General Counsel.

Policy Impact: Environmental and Compliance Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-450

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

Date of Introduction: July 26, 2011

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

Date of Analysis: July 28, 2011

Type of Action: Declaration of Surplus; Waiver

Bill Summary: This bill declares a parcel of real property located at 5114 Security Lane to be surplus to City needs. The provisions of Section 122.429, Ordinance Code, are waived to allow the net proceeds from the eventual sale of the parcel to be used to replenish a Neighborhood Stabilization Program account.

Background Information: The property is located in the vicinity of Security Lane and Cleveland Road. The Real Estate Officer Certificate states that it has been determined that no need exists for the property by the City or any independent agency.

Policy Impact Area: Real Estate-Surplus Property

Fiscal Impact: Undetermined; the appraised value of the subject parcel is shown as \$45,000

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-451

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 28, 2011

Type of Action: Lease Amendment

Bill Summary: This bill approves the First Amendment to Lease Agreement between the City and the State of Florida Department of Highway Safety and Motor Vehicles, authorizing the Mayor, or designee, and Corporation Secretary to execute said amendment.

Background Information: The lease is for the premises located at 7439 Wilson Boulevard. This amendment would extend the renewal period of the original lease one year for a new expiration date of June 15, 2013. Other lease provisions are to remain in full force and effect.

Policy Impact Area: Real Estate-Leases

Fiscal Impact: Other lease provisions are unchanged

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-452

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: July 29, 2011

Type of Action: Conservation Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, all documentation relating to the Maxville Park Phase I Conservation Easement for Upland Parcels A-C and Wetlands Parcel D (the "property") to the St. Johns River Water Management District as a condition of Permit #40-031-83621-2, issued to the City by SJRWMD, and of Department of the Army Permit #SAJ-2009-01960 (NW-JES), issued by the U.S. Army Corps of Engineers, for the active recreation Phase I development to offset adverse impacts to natural resources, fish and wildlife, and wetland functions, and to preserve the property in its natural condition in perpetuity; the ordinance provides for City oversight by the Department of Recreation and Community Services.

Background: Phase I of Maxville Park includes development of a football field, concession building and access facilities. To insure that natural resources such as fish, wildlife and wetland functions are not adversely affected by work proposed for Maxwell Park, the City is required to execute easements for uplands and wetlands parcels before the St. Johns River Water Management District and the U.S. Army Corps of Engineers issue permits necessary for the park improvements to move forward.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-453

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: July 29, 2011

Type of Action: Conveyance Approval; Agreement Authorization

Bill Summary: This ordinance approves and supports the donation of the Norman Studios (“the property”) to the United States Department of the Interior (“DOI”) through a conveyance by the Department of Public Works at such time in the future as the donation of the property is accepted by DOI; the ordinance approves and authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver, for and on behalf of the City, the Partnership Agreement between the City of Jacksonville and Norman Studios Silent Film Museum, Inc. for operation and maintenance of the property until its conveyance to DOI..

Background: The Norman Studios on Arlington Road symbolized Jacksonville’s early foray into the motion picture industry. Richard E. Norman acquired the studio in 1924 and proceeded to produce a number of successful films. The City Council appropriated \$400,000 in 2000 (2000-0822-E) to purchase and preserve the studios as a museum. The City Council subsequently appropriated funds for the renovation of the studios. This ordinance donates the historic Norman Studios to the U.S. Department of the Interior to be programmed as a National Park Service (“NPS”) site with the Timucuan Ecological and Historic Preserve. Prior approval and support of the donation of the property to DOI will facilitate the conveyance of the property by the Department of Public Works. Pending DOI’s acceptance of the donation, arrangements must be made for the operation and maintenance of the property; the Partnership Agreement between the City of Jacksonville and Norman Studios Silent Film Museum, Inc. provides for the property’s maintenance.

Policy Impact: Public Works

Fiscal Impact: Undetermined

Analyst: Jackson

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(904) 630-1377



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FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-454

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: July 29, 2011

Type of Action: Agreement Approval

Bill Summary: This ordinance approves and authorizes the Mayor, or his designee, to execute and deliver, for and on behalf of the City, the Designation Agreement between and among the State of Florida Department of Environmental Protection, Office of Greenways and Trails, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, and the City of Jacksonville, designating the Jacksonville-Baldwin Rail-Trail as part of the Florida Greenways and Trails System, as defined in Section 260.014, Florida Statutes; provides for oversight by the Recreation and Community Services Department

Background: Section 260.016, Florida Statutes, stipulates that the purpose of the Florida Greenways and Trails System is to recognize the benefits of the outdoor areas of Florida and to conserve, develop and use the natural resources of the State for healthful and recreational purposes; to implement the concepts of ecosystems and management while providing recreational activities that include equestrian activities, hiking, bicycling, canoeing and jogging; to provide open space benefitting environmentally sensitive lands and wildlife; and to encourage the development of greenways and trails by counties, cities, special districts and nongovernmental organizations. The Designation Agreement that this ordinance approves would include Jacksonville-Baldwin Rail-Trail as part of the Florida Greenways and Trails System; the Agreement stipulates that the City of Jacksonville will be responsible for the management, operation and maintenance of the trail. The term of the agreement is 20 years.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-455

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F, RCDPHS

Date of Analysis: July 28, 2011

Type of Action: Authorization of settlement agreement; authorizing revised lease agreement

Bill Summary: The bill authorizes a settlement agreement and mutual release of claims between the City and Pavelka Properties, LLC regarding a lease agreement for the company's use of a city-owned parking lot at the northeast corner of Forsyth and Market Streets in downtown. The settlement provides that the city will forgive approximately \$50,000 in unpaid rent and end the current lease agreement with Pavelka Properties. Thereafter the City will enter into a revised lease agreement with Churchwell Lofts at East Bay Condominium Association, Inc. for use of the parking lot at no charge for the five year term of the lease, then at a market rate for the term of a five year renewal option. At the conclusion of the lease the improved lot returns to City control.

Background Information: Pavelka Properties renovated the Churchwell Dry Goods building on Bay Street into a mixed-use property in 2006 with loft condominiums on the upper floors and commercial space on the ground floor. In order to provide parking for the residents and business tenants, Pavelka entered into a 50-year lease with the City for a vacant lot at the northeast corner of Market and Forsyth Streets. Pavelka paid approximately \$139,000 to construct, pave and fence the lot, in return for which the City offered a credit of \$120,000 against the lease rate of \$80 per parking space per month (34 spaces, \$2,720 total rent per month, payable quarterly). The \$120,000 credit was exhausted in March 2010 and Pavelka has been in default since then.

Policy Impact Area: Downtown redevelopment

Fiscal Impact: The settlement forgives approximately \$50,000 in past due rent and the new revised agreement would authorize rent-free use of the parking lot for 5 years (foregoing \$163,200 in rent at the current rate of \$2,720 per month) before a market rental rate would apply beginning in year 6.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-456

Introducer/Sponsor: Council Member Holt

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: July 28, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$27,350 from a Facilities Mitigation-Class I account to provide funding to allow the Town of Baldwin to purchase five surplus vehicles from the City of Jacksonville. It is required that the Department of Central Operations oversee the expenditure of funds and transfer of titles in accordance with Ordinance Code provisions. Provision is made for the carryover of appropriated funds into the 2011-2012 fiscal year.

Background Information: The five vehicles are as follows: (1) 2002 Chevy G3500 cargo van, valued at \$2,650; (2) 2003 Chevy Tahoe, valued at \$5,425; (3) 2005 C1500 pickup, valued at \$5,300; (4) 2006 Chevy C1500 ex-cab pickup, valued at \$9,550; and, (5) 2002 Chevy C1500 ex-cab pickup, valued at \$4,425. The total value of the vehicles is \$27,350.

Policy Impact Area: Facilities Mitigation Funds; Surplus Vehicles; Town of Baldwin

Fiscal Impact: Undetermined; \$27,350 is appropriated by this ordinance

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-457

Introducer/Sponsor: Council President Pursuant to Chapter 380, Ordinance Code

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Grant of CON Renewal

Bill Summary: This bill grants renewal and modification of the Certificate of Public Convenience and Necessity (CON) to Jones Road Landfill & Recycling, Ltd., with conditions, for operation of a construction and demolition debris disposal facility at 3400 Jones Road.

Background Information: The conditions address such issues as application, entrance sign, authorized materials, facility capacity, out-of-county wastes, personnel training, waste control, other permits, financial assurance, reports, storage time, height of storage pile, landfill height, operating hours, host fee, hold harmless, term of certificate, air permits, compliance, water supply, wells, wastewater and sewage disposal/treatment, scales, reclaimed water, noise control, odor control, sediment and erosion control, litter control, contingency plan, and zoning compliance buffer. The Solid Waste Division supports approval.

Policy Impact Area: Solid Waste; Certificates of Public Convenience and Necessity

Fiscal Impact: Undetermined

Analyst: Campbell

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LEGISLATIVE SUMMARY



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

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

Bill Type and Number: Ordinance 2011-458

Introducer/Sponsor: Council President Pursuant to Chapter 380, Ordinance Code

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Grant of CON Renewal

Bill Summary: This bill grants renewal and modification of the Certificate of Public Convenience and Necessity (CON) to International Waste Control, Inc., with conditions, for operation of a biomedical waste and regulated garbage sterilizer facility at 10418 New Berlin Road.

Background Information: The conditions address such issues as application, entrance sign, authorized materials, facility capacity, compliance, personnel training, site security, performance bond, monthly report, host fees, storage, sanitary conditions, operating hours, access to facility and records, odors, operation of treatment units, spill control, emergency management plan, compliance agreement, scales, noise control, litter control, wastewater and sewage disposal/treatment, other permits, accuracy of information, and terms of certificate. The Solid Waste Division supports approval.

Policy Impact Area: Solid Waste; Certificates of Public Convenience and Necessity

Fiscal Impact: Undetermined

Analyst: Campbell

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-459

Introducer/Sponsor: Council President Pursuant to Chapter 380, Ordinance Code

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Franchise Agreement Authorization

Bill Summary: This bill authorizes the Director of the Public Works Department to issue a franchise agreement to Michael's Recycling, with conditions, to collect and transport nonresidential solid waste in the City of Jacksonville.

Background Information: According to the application, Michael's Recycling is owned by Michael J. Burke, and the business address is shown as 7798 Spring Branch Drive South. Information on file states that Mr. Burke has 16 years in the solid waste business and that he proposes to landfill all of the collected franchised waste at the City's Trail Ridge Landfill and/or Old Kings Road Landfill. Mr. Burke anticipates collecting approximately eight tons of solid waste per month. The conditions include execution of a franchise agreement, submission of a payment bond, and execution of an indemnification agreement.

Policy Impact Area: Public Works; Solid Waste; Recycling; Franchise Agreements

Fiscal Impact: Undetermined

Analyst: Campbell

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-460

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 29, 2011

Type of Action: Street Closure

Bill Summary: This ordinance closes, abandons and/or disclaims, three sections of Rosewood Avenue, an unopened and unimproved right-of-way established by plat of Sunset Gardens, as recorded in Plat Book 11, Pages 1 and 2, of the current public records of Duval County, Florida, in Council District 12, at the request of the Planning & Development Department (the "applicant"), in order to eliminate duplicate use of "Rosewood" as a street name and to minimize the 911 Emergency System routing problems this duplication causes, subject to reservation of an easement over the closed sections of Rosewood Avenue for Ingress and Egress and for all utilities.

Background: The request for this right-of-way closure was routed to government agencies which might have an interest in the right-of-way and there were no objections.

Policy Impact: Public Works

Fiscal Impact: No closure application fee has been paid as the applicant is an agency of the City exempt from the closure application fee.

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-461

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Street Renaming

Bill Summary: This bill renames that segment of "Ft. Caroline Road" which extends east from the intersection of Ft. Caroline Road and Ft. Caroline Road approximately 1,821 feet to a cul-de-sac. The designated new name is "Old Ft. Caroline Road." The Chief of Legislative Services is directed to send a copy of the enacted legislation to the Planning and Development Department, Addressing Unit, for processing, implementation, and coordination with 911 Emergency, Fire and Rescue Department, the Post Office, and other affected agencies and organizations.

Background Information: The subject road segment is located 323 feet southeast of the intersection of Spanish Bluff Drive and Ft. Caroline Road. The bill states that recent changes to road alignment created by the Wonderwood Connector Segment 3 project may have inadvertently created three different roads having the same name of Ft. Caroline Road. Further, the two parallel roadways with the Ft. Caroline Road name also share the same address range. The 911 Addressing Advisory Committee has recommended the name change in order to eliminate the duplicate street names and potential confusion. Also, the Jacksonville Historic Preservation Commission has determined that there is no historical impact. Ten residential properties are affected.

Policy Impact Area: Street Naming; Public Safety; Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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



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

Bill Type and Number: Resolution 2011-462

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill reappoints Council President Stephen Joost as an alternate member of the North Florida Transportation Planning Organization (TPO) for a term ending June 30, 2015.

Background Information: The TPO is established pursuant to Section 339.175, *Florida Statutes*, and charged to manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans and to be the forum for cooperative decision making by officials of the affected governmental entities.

The membership apportionment plan of the TPO provides for three Jacksonville City Council Member representatives on the Board. As the members representing the City of Jacksonville have a weighted vote of two (2) each, it is advantageous to have full representation for Jacksonville at every TPO meeting. As an alternate, Council President Joost may serve for any single absent City Council Member.

Policy Impact Area: North Florida Transportation Planning Organization operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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

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

Bill Type and Number: Resolution 2011-463

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Council Vice President William Bishop as a member of the North Florida Transportation Planning Organization (TPO), for a four-year term ending June 30, 2015.

Background Information: The TPO is established pursuant to Section 339.175, *Florida Statutes*, and charged to manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans and to be the forum for cooperative decision making by officials of the affected governmental entities.

The membership apportionment plan of the TPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board. The Mayor and Council Member representatives each have a weighted vote of two (2) each.

Policy Impact Area: North Florida Transportation Planning Organization operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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

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

Bill Type and Number: Resolution 2011-464

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Reginald Brown as a member of the North Florida Transportation Planning Organization (TPO), replacing Council Member E. Denise Lee, for a four-year term ending June 30, 2015.

Background Information: The TPO is established pursuant to Section 339.175, *Florida Statutes*, and charged to manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans and to be the forum for cooperative decision making by officials of the affected governmental entities.

The membership apportionment plan of the TPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board. The Mayor and Council Member representatives each have a weighted vote of two (2) each.

Policy Impact Area: North Florida Transportation Planning Organization operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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

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

Bill Type and Number: Resolution 2011-465

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Dr. Johnny Gaffney as a member of the North Florida Transportation Planning Organization (TPO), replacing Michael Corrigan, for a four-year term ending June 30, 2015.

Background Information: The TPO is established pursuant to Section 339.175, *Florida Statutes*, and charged to manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans and to be the forum for cooperative decision making by officials of the affected governmental entities.

The membership apportionment plan of the TPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board. The Mayor and Council Member representatives each have a weighted vote of two (2) each.

Policy Impact Area: North Florida Transportation Planning Organization operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-466

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment; Emergency Passage

Bill Summary: This bill appoints Council Vice President William Bishop as a substitute member of the Election Canvassing Board, in the County Commission Chair category, for a term beginning July 1, 2011, and ending June 30, 2012.

Background Information: The Election Canvassing Board is established pursuant to Section 102.141(1), *Florida Statutes*, and charged to publicly canvass the absentee electors' ballots and provisional ballots and to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor of elections and the office of the county court judge.

Section 102.141(1)(c), *Florida Statutes*, provides that in the event the chair of the board of the county commissioners (i.e., Council President) is unable to serve, the board of county commissioners shall appoint as a substitute member, one of its members.

Emergency passage has been requested so that Council Vice President Bishop can be available to participate in the canvassing activities in advance of an upcoming election.

Policy Impact Area: Election Canvassing Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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

Bill Type and Number: Resolution 2011-467

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Doyle Carter to the Northeast Florida Regional Council (NEFRC), replacing Richard A. Brown, as a county representative, for a two-year term ending June 30, 2013.

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

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

Policy Impact Area: Northeast Florida Regional Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-468

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Richard Clark to the Duval County Tourist Development Council (TDC), replacing Michael Corrigan in the elected official category, for an unexpired term ending June 30, 2014.

Background Information: The TDC is established in accordance with Chapter 70, *Ordinance Code*, and charged to recommend a method of coordination of existing tourist development efforts by both public and private agencies, organizations and business and of new or additional tourist development efforts; identify and recommend methods of eliminating unnecessary duplications in existing tourist development efforts; identify and develop new tourist development efforts; create, prepare and submit to the Council a tourist development plan; and review the expenditures of revenues from the Tourist Development Trust Fund and report any unauthorized expenditures to the Council and State Department of Revenue.

Section 70.102, *Ordinance Code*, provides that in addition to the Council President, two of the nine members of the TDC shall be elected officials.

Council Member Clark served as Chair of the TDC for the 09/10 year during his term as Council President.

Policy Impact Area: Tourist Development Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

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

Bill Type and Number: Resolution 2011-469

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Council Member Raymond Holt, as a member, and Council Member Doyle Carter, as an alternate member, both on the Board of Directors of the Jacksonville Zoological Society, for a term ending September 30, 2012, representing the City Council.

Background Information: The bylaws of the Jacksonville Zoological Society provide for City Council representatives, appointed by the Council President, on the Board of Directors.

Policy Impact Area: Zoological Society Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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

Bill Type and Number: Resolution 2011-470

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Warren A. Jones to the Duval County Tourist Development Council (TDC), replacing Ronnie Fussell in the elected official category, for an unexpired term ending June 30, 2012.

Background Information: The TDC is established in accordance with Chapter 70, *Ordinance Code*, and charged to recommend a method of coordination of existing tourist development efforts by both public and private agencies, organizations and business and of new or additional tourist development efforts; identify and recommend methods of eliminating unnecessary duplications in existing tourist development efforts; identify and develop new tourist development efforts; create, prepare and submit to the Council a tourist development plan; and review the expenditures of revenues from the Tourist Development Trust Fund and report any unauthorized expenditures to the Council and State Department of Revenue.

Section 70.102, *Ordinance Code*, provides that in addition to the Council President, two of the nine members of the TDC shall be elected officials.

Council Member Jones served as Chair of the TDC for the 91/92 and 92/93 years during his terms as Council President.

Policy Impact Area: Tourist Development Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-471

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment Confirmation

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

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

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

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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

Bill Type and Number: Resolution 2011-472

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Robin Lumb to the Joint Planning Committee, replacing Kevin Hyde 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 DCPS 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 School Board and City Council Joint Planning

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-473

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

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



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

Bill Type and Number: Resolution 2011-474

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Appointment/Election; Emergency Passage

Bill Summary: This bill elects the City Council Members of the 2009, 2010 and 2011 Duval County Value Adjustment Boards (VAB). Council Member John Crescimbeni will serve as Chair, Council Member Kimberly Daniels will serve as a member and Council Member Lori Boyer as the alternate member, all for a term concluding with the final hearing for the tax year of the board.

Background Information: The VAB hears appeals regarding property assessments and complaints against homestead exemption denials. Section 194.015, *Florida Statutes*, requires that two of the members of the VAB shall be members of the governing body of the county elected from the membership of the board of the governing body.

Council Member Crescimbeni has previously served on the VAB, including three terms as Chair.

Emergency passage has been requested so that a quorum will be available for the organizational meeting of the 2011 VAB in August.

Policy Impact Area: Value Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-475

Sponsor: Council President at the request of JEA

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 22, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms JEA's appointment of William Hiers, as a member of the Civil Service Board, replacing Norman Reimer, for a first full three-year term ending June 30, 2014.

Background Information: The Civil Service Board is established pursuant to Article 17, *Jacksonville Charter*, and charged to periodically review the operation and effect of the personnel provisions of the charter, the classification plan, and the pay plan, and report their findings to the council and the mayor; hear and determine appeals initiated by employees who are charged with personnel violations; hear and determine complaints by employees and prospective employees concerning alleged violations of civil service rules or regulations with respect to hiring and promotion; hear and determine the grievance of persons covered by the civil service rules or the grievance of persons who may be entitled to be covered concerning any action taken which pertains to employment rights.

Section 17.02, *Jacksonville Charter*, provides that two of the members of the Civil Service Board shall be appointed by JEA, subject to the confirmation by the City Council.

Mr. Hiers received a master's degree in business administration from the University of North Florida and is retired from the *St. Johns River Power Park*. He has over 20-years experience in Human Resources and Labor Relations. Mr. Hiers resides in Duval County.

Policy Impact Area: Civil Service Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-476

Sponsor: Council Member Brown

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Joe Bailey, Jr. to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 10, for a second two-year term ending June 30, 2013.

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. Bailey is retired from the United States Postal Services. Before his current term, Mr. Bailey previously served on the Council on Elder Affairs from 2001 to 2005. He resides in the Magnolia Gardens area within Council District #10.

Attendance: According to records provided by the staff for the Council on Elder Affairs, Mr. Bailey has attended 18 of 21 (86%) meetings of the council since his appointment in 2009.

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

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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

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

Bill Type and Number: Resolution 2011-479

Sponsor: Council Member Gulliford

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Grace D. Wawzynski to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 13, for a second two-year term ending June 30, 2013.

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.

Ms. Wawzynski is an active community volunteer and resides in Jacksonville Beach within Council District #13.

Attendance: According to records provided by the staff for the Council on Elder Affairs, Ms. Wawzynski has attended 19 of 20 (95%) meetings of the council since her initial appointment in 2009.

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

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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

Bill Type and Number: Resolution 2011-480

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Joseph E. Andrews, to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second three-year 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; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Council President and confirmed by the City Council.

Mr. Andrews received a bachelor's degree in science from the University of South Carolina and is a semi-retired construction project manager. He resides in the Duclay area within Council District #12.

Attendance: According to records provided by the staff for the TRUE Commission, Mr. Andrews has attended 29 of 29 (100%) meetings of the commission since his initial appointment in 2008.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-481

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 29, 2011

Type of Action: Ordinance Amendment

Bill Summary: The ordinance amends Ordinance 2008-1037-E, pertaining to a State Road Fund Grant to assist in the cost of making certain roadway improvements related to the construction of the United States headquarters for Pilot Corporation of America, by correcting and replacing the funding source account numbers used in original B.T. 09-023 with the correct funding source account numbers as set forth in B.T. 11-117.

Background: Ordinance 2008-1037-E, enacted by Council on December 9, 2008, pertaining to a State Road Fund Grant to assist in the cost of making certain roadway improvements related to the construction of the United States headquarters for Pilot Corporation of America, incorrectly stated the funding source account numbers on B.T. 09-023. This ordinance amends Ordinance 2008-1037-E, in part, by correcting and replacing the funding source account numbers used in B.T. 09-023 with the correct funding source account numbers as set forth in B.T. 11-117. With the exception of the amended funding source account numbers in B.T. 11-117, in all other respects Ordinance 2008-1037-E shall remain unchanged and in full force and effect. Pilot Corporation of America is the U.S. manufacturing company owned by Pilot Corporation of Tokyo, Japan. Ordinance 2008-370-E, was an Economic Development Agreement that provided Pilot with economic assistance to move its US headquarters from Connecticut to Jacksonville. A component of the incentives, Ordinance 2008-1037-E, provided the firm with assistance in roadway improvements in connection with the construction of the company's proposed headquarters on Regent Boulevard, in Council District 3.

Policy Impact: Economic Development /Jacksonville Economic Development Commission

Fiscal Impact: Minimal

Analyst: Jackson

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



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

Bill Type and Number: Ordinance 2011-482

Sponsor: TEU Committee

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and N. G. Wade Investment Company for a mixed use project known as Wade Commercial Park. The fair share assessment is \$626,548 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 950 p.m. peak hour trips being generated on links in fair share fund sector 5.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Beaver Street – Chaffee Road to I-295	19
I-295 – Normandy Boulevard to I-10	81
I-295 – I-10 to Commonwealth Avenue	109
Commonwealth Avenue – McDuff Avenue to Edgewood Avenue	42
Commonwealth Avenue – Edgewood Avenue to Lane Avenue	72
Commonwealth Avenue – Lane Avenue to I-295	129
Lane Avenue – Old Kings Road to 5 th Street	7
Lane Avenue – Beaver Street to I-10	29
Lane Avenue – I-10 to Normandy Boulevard	24
Fouraker road – Normandy Boulevard to I-10	13
Cahoon road – I-10 to Old Plank Road	11
Ramona Boulevard – Lane Avenue to Lenox Avenue	5
Ellis Road – Beaver Street to 12 th Street	8
5 th Street – Pickettville Road to Edgewood Avenue	15
Commonwealth Avenue – I-295 to Imeson Road	279
Pickettville Road – I-295 to Commonwealth Avenue	3
Pickettville Road – Commonwealth Avenue to Beaver Street	29
Lane Avenue – Commonwealth Avenue to Beaver Street	30
Commonwealth Avenue – Imeson Road to Jones Road	5
I-295 – Commonwealth Avenue to Pritchard Road	40

Background Information: The project consists of a 102,000 square foot, 130-room hotel, a pharmacy with drive-through window, a 5,500 square foot fast food restaurant and a 20-pump gas station and convenience store with car wash on 9.83 acres on Pickettville Road in the southwest quadrant of Commonwealth Avenue and I-295 in Council District 10.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$626,548 to the Sector 5.1 account.

Analyst: Clements

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



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

Bill Type and Number: Resolution 2011-483

Sponsor: Council President pursuant to Chapter 380, Ordinance Code:

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 29, 2011

Type of Action: Franchise Agreement Issuance

Bill Summary: The resolution grants Amason's Portable Toilets & Holding Tanks, Inc. a nonresidential solid waste collection and transportation franchise pursuant to Chapter 380 (Solid Waste Management), Part 6 (Nonresidential Solid Waste Collection and Transportation Franchises), *Ordinance Code*, provides conditions of the franchise.

Background: Amason's Portable Toilets & Holding Tanks, Inc. is an established business vendor doing business as Amason's Roll-offs. Amason's Roll-offs has been in business since 1991; the company's president has 33 years experience in the solid waste business primarily in the collection and disposal of construction and demolition debris and commercial garbage. The applicant has a total of 411 roll-off containers currently in service. The applicant proposes to landfill all of the franchised waste it collects at the City's Trail Ridge Landfill and/or Old Kings Road Landfill. The applicant's corporate headquarters is located at 273 Jefferson Avenue, Orange Park with the Duval County branch office located at 5465 Verna Road, Jacksonville, 32205. The applicant has certified that approximately two-thirds of its gross receipts are generated in Duval County. Provisions of Chapter 380 (Solid Waste Management), *Ordinance Code*, authorizes the Director of Public Works to issue franchise agreements for the collection and transportation of nonresidential solid waste.

Policy Impact: Public Works/Solid Waste

Fiscal Impact: The applicant for the franchise has paid a fee in the amount of \$1,500.00

Analyst: Jackson

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



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

Bill Type and Number: Ordinance 2011-484

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 29, 2011

Type of Action: Ordinance Amendment

Bill Summary: This ordinance amends Ordinance 2011-398-E, which reauthorized positions in the Gas Storage Tank Clean-Up Program, so as to provide a complete and corrected R. C. 11-205 as Exhibit 2 to the ordinance. The corrected R.C. 11-205 includes reauthorization of several clerical support positions for the gas storage tank clean-up program that were inadvertently omitted from the original legislation.

Background: Ordinance 2011-398-E (enacted June 14, 2011) appropriated funding from the State of Florida, with a City match, and reauthorized positions in the Gas Storage Tank Clean-Up Program administered by the Environmental Quality Division of the Environmental & Compliance Department. This ordinance provides a complete and corrected R.C. 11-205 as Exhibit 2 to 2011-398-E. With the exception of the complete and corrected Exhibit 2, in all other respects Ordinance 2011-398-E remains unchanged and in full force and effect.

Policy Impact: Environmental & Compliance Department/Environmental Quality Division

Fiscal Impact: Minimal

Analyst: Jackson

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



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

Bill Type and Number: Ordinance 2011-485

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

Date of Introduction: July 26, 2011

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

Date of Analysis: July 29, 2011

Type of Action: Economic Development Approval; QTI Recommendation; REV Grant Authorization; Policy Waiver

Bill Summary: The ordinance approves and authorizes the execution of an Economic Development Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and Medtronic Xomed, Inc., to support the expansion of the company's operations in Jacksonville; recommends that the company be approved by the state of Florida's Department of Economic Opportunity as a Qualified Target Industry ("QTI") business with a High Impact Sector Bonus, pursuant to Sections 288.106-108, Florida Statutes; evidences a commitment of City support in an amount not to exceed \$245,000 as the local financial support under the Qualified Target Industry Tax Refund Program payable over multiple years per guidelines set by the State Department of Economic Opportunity, with a State match of \$980,000 (including a High Impact Sector Bonus of \$2,000 per job), for a total City and State QTI amount of \$1,225,000 for 175 jobs; the Agreement authorizes a Recapture Enhanced Value (REV) Grant of \$415,000; approves and authorizes the execution of documents by the Mayor, Corporation Secretary and JEDC Executive Director ; authorizes approval of technical amendments by the JEDC Executive Director; provides for City oversight by the JEDC; waives that portion of the Public Investment Policy adopted by Resolution 2006-119-A which would require that in order for a project to receive a 50% REV Grant for a 7-year period, the project must achieve certain minimum scores on the JEDC's Project Evaluation Matrix.

Background: Founded in 1949, Medtronic Xomed, Inc. is a subsidiary of Medtronic, Inc. The Surgical Technologies Division is headquartered in Jacksonville. Medtronic Xomed, Inc., Surgical Technologies Division, is in the process of evaluating sites for expanded operations. Medtronic currently employs over 600 persons at its Jacksonville facility. The company has committed to create 175 permanent full-time equivalent new jobs in Jacksonville with an average salary, exclusive of benefits, of approximately \$80,000 per annum by December 31, 2015. The project scope includes the construction of a new 75,000 square foot building to expand operations. The estimated private capital investment for the proposed expansion is \$14.1 million. The City of Jacksonville wishes to be supportive with tax refunds for the company in the maximum amount available under Florida Statutes relating to qualified target industry High Impact Sector businesses (the "QTI Refunds"). The City is required to fund 20% of the amount of the basic QTI Refunds with High Impact Sector Bonus (20% of \$1,225,000, or \$1,400 for each of 175 new jobs, for a total City contribution of \$245,000. The REV grant would not constitute a debt or liability to the City.

Policy Impact: Economic Development/Jacksonville Economic Development Commission

Fiscal Impact: The Economic Development Agreement commits the City to \$245,000.

Analyst: Jackson

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-486

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

Type of Action: Authorizing extension of tax roll certification prior to completion of VAB hearings

Bill Summary: The bill directs the Property Appraiser to extend the 2011 tax roll process and to certify the tax roll to the Tax Collector for purposes of timely mailing of tax bills despite the fact that Value Adjustment Board appeal hearings are not yet complete.

Background Information: Sec. 193.122 of the Florida Statutes requires the Value Adjustment Board to certify the assessment rolls after the completion of all appeal hearings. However given the volume of appeals and the progress of the hearings, it is apparent that the process will not be completed before the November 1 deadline for reporting the roll to the Tax Collector in time to prepare and mail the tax bills. The statute allows the Property Appraiser and Tax Collector to eventually apply the millage rate to the final assessment determined by VAB and to produce a revised tax bill.

Policy Impact Area: Tax roll certification

Fiscal Impact: Undetermined – the City budgets for a property tax collection rate of 95.5% in recognition of the fact that most taxpayers will take advantage of the discounts available for paying taxes early and that some errors, omissions and VAB challenges will inevitably happen that will not be discovered or resolved until well after the tax bills are mailed and payments are due. When VAB makes a final decision on property valuation as a result of a challenge, the Tax Collector issues a revised tax bill for the correct amount due.

Analyst: Clements

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LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Ordinance 2011-487

Introducer/Sponsor: Council Member Gaffney

Date of Introduction: July 26, 2011

Committee(s) of Reference: R; F

Date of Analysis: July 28, 2011

Type of Action: Removal from Non-compliance List

Bill Summary: This bill forgives The Bridge-the-Gap, Inc., for any grant administration errors that may have occurred with regard to a fiscal year 2009-2010 City grant (Contract #7632-13), directing the Council Auditor to remove this agency from the non-compliance list.

Background Information: The Bridge-the-Gap is a not-for-profit agency that has provided community services to low-income seniors, including those with physical, mental, and behavioral disabilities. In the 2009-2010 fiscal year, it received a public service grant for the purposes of providing food, clothing, literacy programming, personal care, and respite care, and grant documents required that budget changes and line item transfers receive prior approval. Unapproved transfers were discovered by the Council Auditor's Office and the required annual report was received after the deadline, resulting in placement on a non-compliance list which precludes The Bridge-the-Gap from receiving further City appropriations. This bill states that the agency has established procedures designed to avoid making such errors in the future, and it is found that removal from the non-compliance list is in the public interest.

Policy Impact Area: Office of Council Auditor; Non-compliance List; Public Service Grants

Fiscal Impact: Undetermined

Analyst: Campbell

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



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City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2011-489

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Drew D. Frick, as a lay member of the Joint Planning Committee, for a third two-year term ending June 30, 2013.

Background Information: The Joint Planning Committee is an advisory body to the DCPS 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 lay member appointed by the City Council President.

Mr. Frick received a law degree from the University of Georgia and is General Counsel for *Gate Petroleum Company* and a Board Member of *The Gate Foundation*. He resides in the Miramer area within Council District #5.

Attendance: According to records provided by the staff for the Joint Planning Committee, Mr. Frick has attended 4 of 5 (80%) meetings of the committee since his initial appointment in 2007.

Policy Impact Area: Duval County School Board and City Council Joint Planning

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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FAX (904) 630-3403

Bill Type and Number: Resolution 2011-490

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 21, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Christopher Collier Dostie to the Industrial Technical Advisory Committee, as a residential builder representative, for a second two-year term ending June 30, 2013.

Background Information: The Industrial Technical Advisory Committee is established pursuant to Chapter 30, Part 7, *Ordinance Code*, and charged to review and make recommendations to the Planning and Development Department on proposed land use changes, and rezonings in Areas of Situational Compatibility and Industrial Sanctuaries; review and make recommendations to the Planning and Development Department concerning text changes to the Comprehensive Plan and proposed changes to the Zoning Code which relate to Areas of Situational Compatibility and Industrial Sanctuaries; and review and make recommendations to the City Council as to the creation or expansion of Areas of Situational Compatibility and Industrial Sanctuaries.

Section 30.702, *Ordinance Code*, provides that the seven members of the Industrial Technical Advisory Committee shall be nominated by the Council President and appointed by the Council, in various categories, including a residential builder.

Mr. Dostie received a bachelor's degree in political science from Auburn University and is a Florida certified building contractor. He is President of *Kingsouth Construction, Inc.* and resides in the Miramer area within Council District #5.

Attendance: According to records provided by the staff for the Industrial Technical Advisory Committee, Mr. Dostie has attended 9 of 10 (90%) meetings of the committee since his initial appointment in 2010.

Policy Impact Area: Industrial Technical Advisory Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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



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City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-491

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: July 26, 2011

Committee(s) of Reference: LUZ

Date of Analysis: July 28, 2011

Type of Action: Development Agreement Amendment

Bill Summary: This bill approves the Second Amendment to Development Agreement between the City and Magnolia Park Partners, Ltd., authorizing the Mayor and Corporation Secretary to execute the document.

Background Information: The original agreement concerns a development located east of Hood Road South on the south side of Shad Road. This proposed amendment extends the duration of the agreement, as previously amended, for an additional five years (from September 6, 2011, to September 6, 2016), subject to payment of an annual renewal fee, in order to allow continued ongoing good faith efforts to develop the remaining portions of the proposed development.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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



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City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2011-492

Sponsor: TEU Committee

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 28, 2011

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Millenium Venture Group for a retail project known as Dollar General - New Kings Road. The fair share assessment is \$157,823 with a 1-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 30 p.m. peak hour trips being generated on links in fair share fund sector 6.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
New Kings Road – Dunn Avenue to I-295	30

Background Information: The project consists of a Dollar General retail store of 9,002 square feet on 1.243 acres on New Kings Road at the intersection of Barth Road in Council District 8.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$157,823 to the Sector 6.2 account.

Analyst: Clements

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



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

Bill Type and Number: Ordinance 2011-493

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: F; RCDPHS

Date of Analysis: July 28, 2011

Type of Action: Appropriation; CIP Amendment

Bill Summary: This bill appropriates \$281,705.04 to provide funds for construction of a clinic at the Montgomery Correctional Center. Additionally, the Five-Year Capital Improvement Program is amended to reduce funding for the Ethel Road project and provide funding for the MCC Clinic project.

Background Information: The Ethel Road project involves road realignment and reduced roadway flooding within the project area. Information on the CIP Project Amendment Sheet indicates that the clinic project will eliminate health risks posed by the current facility to employees and patients, and that future maintenance costs will outweigh the cost of the proposed facility.

Policy Impact Area: Office of the Sheriff; Streets and Drainage; Capital Improvements

Fiscal Impact: Undetermined; \$281,705.04 is appropriated by this ordinance

Analyst: Campbell

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



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

Bill Type and Number: Ordinance 2011-494

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

Date of Introduction: July 26, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 28, 2011

Type of Action: Lease Approval

Bill Summary: This bill approves a lease agreement with the U. S. Green Building Council-North Florida Chapter, Inc. (USGBC), authorizing the Mayor and Corporation Secretary to execute the agreement. Provision is made for technical modifications which do not involve any increased financial obligations or liability to the City, and do not alter basic lease terms.

Background Information: USGBC is a Florida not-for-profit corporation focused on accelerating the adoption of green development practices, technologies, policies and standards. Its Sustainability Resource Center is to be open to the public for educational purposes, including the provision of resources to the public on energy and water conservation efficiency, and green building and sustainable development practices. The lease is for five years, with no renewal option, for 4,940 square feet of retail space on the first floor of the Main Library Parking Garage located at 33 West Duval Street. In consideration of USGBC's build-out of the space for use as a Sustainability Resource Center, the City agrees to allow use at no rental or utility cost to the tenant. Information on file states that the space has been empty for six years, and that occupation will have a high impact on downtown visits and revitalization, and possibly be a seed for filling the rest of the space.

Policy Impact Area: Leases; Environmental Protection; Green Building and Sustainable Development; Downtown Development

Fiscal Impact: Undetermined; the lease agreement provides for no rental or utility cost to the tenant

Analyst: Campbell

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

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

Bill Type and Number: Ordinance 2011-495

Introducer/Sponsor(s): Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: F

Date of Analysis: July 28, 2011

Type of Action: Designation of grant agent

Bill Summary: The bill designates First Coast Crime Stoppers Inc. as the City's agent for the purpose of applying to and receiving grant funds from the Florida Crime Stoppers Trust Fund for a period of three years expiring in 2014.

Background Information: The Florida Statutes provide that counties may apply for grants from the Florida Crime Stoppers Trust Fund to fund the operation of a Crime Stoppers tip line within their jurisdiction, but only if there is an official member of the Florida Crime Stoppers Association operating within that county. Either the county or the official Crime Stoppers Association member may be the applicant for the grant, and the funds must be used to support the operation of the Crime Stoppers system in the county. This bill designates First Coast Crime Stoppers Inc., the only official member of the Florida Crime Stoppers Association in the Fourth Judicial Circuit, as the City's designee to apply for and directly receive the funds to support its operations in the First Coast area. The Crime Stoppers Trust Fund is funded by a \$20 court surcharge on criminal convictions in county or circuit court which is forwarded to the State Attorney's Office. The local applicant receives the amount of surcharge revenue collected within the county.

Policy Impact Area: Crime prevention/resolution

Fiscal Impact: Undetermined - the grant amount is dependent on the number of criminal convictions and the percentage of surcharges that are actually paid by the felons.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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



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

Bill Type and Number: Resolution 2011-497

Sponsor: Council President Joost

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 27, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Matt Schellenberg to the Northeast Florida Regional Council (NEFRC), replacing Council Vice President William Bishop, as a county representative, for a two-year term ending June 30, 2013.

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

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

Policy Impact Area: Northeast Florida Regional Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY

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



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
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Bill Type and Number: Resolution 2011-498

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 26, 2011

Committee(s) of Reference: R

Date of Analysis: July 27, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of C. Ronald Belton as the Director of Finance and Chief Financial Officer.

Background Information: Per Sec. 24.102, *Ordinance Code*, the Director of Finance/Chief Financial Officer shall have a bachelor's degree or higher from an accredited college or university, proven administrative ability, and a record of exceptional performance in an executive level public or private sector financial management position.

Mr. Belton received a bachelor's degree in sociology from the Hampton Institute. He has been an executive vice president/chief compliance officer with *Riverplace Capital Management, Inc.* for over 10 years.

Policy Impact Area: Finance Department operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$109,892 - \$179,415 per year.

Analyst: Welsh

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



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

Bill Type and Number: Ordinance 2011-499

Introducer/Sponsor(s): Council Member Carter

Date of Introduction: July 26, 2011

Committee(s) of Reference: F, RCDPHS

Date of Analysis: July 28, 2011

Type of Action: Approving assignment of golf course management services agreement

Bill Summary: The bill approves the assignment of the golf course management services agreement for Fiddler's Green Golf Course at Cecil Commerce Center from Capstone Golf, LLC to Fiddler's Green Golf Course, LLC. The bill also approves execution of a second amendment to the management agreement containing revised terms and conditions. The second amendment to the management services agreement requires that Fiddler's Green deliver to the City an irrevocable letter of credit in the amount of \$100,000 from a local bank to ensure satisfactory performance under the agreement, authorizes Fiddler's Green to be reimbursed for certain pre-approved expenses in an amount not to exceed \$10,000 from the City's Fiddler's Green Golf Course Special Revenue Fund, and removes language regarding payment of an expiration fee by the City should the City terminate the agreement before the end of its term. The term of the management agreement is extended for an additional 6 years from 2014 to 2020.

NOTE: the schedule of greens fees and cart rental costs attached as Exhibit B to the new management agreement is in the process of being revised and will be substituted via amendment in committee.

Background Information: When the Fiddler's Green golf course was turned over to the City by the Navy with the closure of Cecil Field in the late 1990s, Meadowbrook Golf Group was selected as the course operator. In 2005 the City approved an assignment of the operation agreement to Capstone Golf, LLC. Capstone now wishes to turn over management of the course to Fiddler's Green Golf Course, LLC, which requires City approval. Fiddler's Green intends to make a substantial private investment in improving the course facilities and requested the 6-year extension to the current 3 years remaining on the agreement in order to give the company time to recoup its investment before the end of the agreement term.

Policy Impact Area: Golf course operation

Fiscal Impact: Minimal – the financial terms of the management agreement remain largely unchanged.

Analyst: Clements