

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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FAX (904) 630-3403

Bill Type and Number: Ordinance 2014-0380

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

Date of Introduction: June 10, 2014

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

Date of Analysis: June 6, 2014

Type of Action: Appropriation

Bill Summary: The bill appropriates \$1,060,040.10 (\$699,757.72 from Nuisance Abatement Liens, \$123,581.63 from Interest Sanitary Assessment, \$80,556.33 from Demolition Assessment, and \$156,144.42 from Code Violation Fines) to the Nuisance Abatement Lien Special Revenue Fund to provide funding for Nuisance Abatement Contracting to remove Property Code Violations City-Wide In Compliance with Chapter 518, *Ordinance Code*; provides for the carryover of funds to Fiscal Year 2014-2015; requesting one cycle emergency passage .

Background Information: The Nuisance Abatement Lien Special Revenue Fund was created by Ordinance 2007-286-E, and it supplements general revenue funding for nuisance abatement contractual services.

Policy Impact Area: Nuisance Abatement

Fiscal Impact: The appropriation of \$1,060,040.10 to the Nuisance Abatement Lien Special Revenue Fund

Analyst: Mitchell

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Bill Type and Number: Ordinance 2014-381

Sponsor: Council Member Boyer:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 13, 2014

Type of Action: Ordinance Code Amendment

Bill Summary: The ordinance amends Chapter 95 (Jacksonville Waterways Commission), Sections 95.105 (Purposes) and 95.106 (Duties), *Ordinance Code*, to insert reference to the Waterways Commission's review of land use amendments affecting wetlands.

Background Information: From time to time, the Planning & Development Department, specifically, Planner Edward Lukacovic, makes presentations at the monthly meetings of the Jacksonville Waterways Commission on proposed land use amendments that impact waterways. This ordinance code amendment would restrict proposed land use amendments that are brought to the Commission for review to saltwater, estuarine and riverine wetlands characterized as Class I and Class II. Class III proposed land use amendments do not significantly impact any of the County's water bodies. At its June 11th monthly meeting, the Jacksonville Waterways Commission voted 12-0 to recommend approval of Ordinance 2014-381.

Policy Impact: Ordinance Code/Jacksonville Waterways Commission

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2014-382

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 13, 2014

Type of Action: Appropriation; Agreement Authorization; CIP Amendment

Bill Summary: The ordinance appropriates \$60,000 (\$30,000 in Artificial Reef Grant funds received from the Florida Fish & Wildlife Conservation Commission (FWC) and a \$30,000 donation from the Coastal Conservation Association Florida for the FWC required grant match) to provide funding for the deployment of concrete materials for the 2014 St. Johns River Inshore Reefs Construction Project, as initiated by B.T. 14-064; the ordinance provides for a carryover of funds into Fiscal Year 2014-2015; it approves and authorizes the Mayor and Corporation Secretary to execute the State of Florida, Florida Fish & Wildlife Conservation Commission Agreement No. 13241 between FWC and the City; it amends the 2013-2018 five-year Capital Improvement Program, approved by Ordinance 2013-4656-E, to provide funding for the project entitled "2014 Artificial Reef" it provides City oversight by the Planning & Development Department.

Background Information: The inshore artificial reefs will be deployed in the St. Johns River at sites in San Marco. The sites were selected after numerous working sessions of an artificial reef subcommittee of the Jacksonville Waterways Commission, representatives of the Coastal Conservation Association of Florida, representatives of TISIRI (Think It Sink It Reef It), the Recreational Fishing Alliance and others. Artificial reefs draw fish and are a boon for recreational and commercial fishing.

Policy Impact: Planning & Development Department

Fiscal Impact: The ordinance appropriates \$60,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2014-383

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 10, 2013

Committee(s) of Reference: RCD; JWW

Date of Analysis: June 13, 2013

Type of Action: Approval and Adoption of Manatee Protection Plan

Bill Summary: The ordinance approves and adopts the Third Edition of the Duval County Manatee Protection Plan as required by the Florida Fish & Wildlife Commission; provides for oversight by the Planning & Development Department.

Background Information: In 1989, Florida's Governor and Cabinet identified counties experiencing excessive watercraft-related mortality of manatees and mandated that these counties take positive measures to reduce this problem. Specifically, the counties were to develop manatee protection plans which would address the multitude of threats facing manatees. The first Duval County MPP was approved by the State of Florida in 1999. The MPP is a comprehensive planning document that addresses the long-term protection of the Florida manatee through law enforcement, education, boat facility siting, and habitat protection initiatives.

Policy Impact: Planning & Development Department/Waterways

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2014-384

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: June 10, 2014

Committee(s) of Reference: LUZ

Date of Analysis: June 12, 2014

Type of Action: Amendment to development agreement

Bill Summary: The bill approves a first amendment to the development agreement between the City and Hudson Capital, LLC for a mixed-use development on University Boulevard North known as Dolphin Reef. The name of the developer is changed to 801 Grand Dolphin Reef, LLC and PCA Dolphin Reef, LLC (successors in interest to Hudson Capital), and the development build-out date is extended by 5 years to July 2019.

Background Information: The original development agreement with Hudson Capital was entered into in July 2007 and reserved traffic capacity sufficient to accommodate 40,000 square feet of retail space, 980 condominium and townhouse units and a 130 boat slip marina. The original concurrency reservation period was 5 years, but was extended by virtue of a new state law for 2 additional years to July 30, 2014. This bill extends the development agreement for an additional 5 years to July 2019. The annual reservation fee for the roadway capacity will be three times the amount of the concurrency reservation application fee for the amount of capacity remaining. A PUD to PUD rezoning (2014-310) is currently pending for the site. The new developer plans to work with adjacent Jacksonville University to construct student housing on the site, including potentially fraternity and sorority houses, along with a nursing facility and/or independent senior living facility that would provide professional training opportunities for JU nursing students, and up to 175,000 square feet of retail and office space.

Policy Impact Area: Development agreement amendment and extension

Fiscal Impact: Undetermined - the new developer will pay a concurrency reservation fee for the amount of roadway capacity remaining each year until it is utilized or the development agreement expires.

Analyst: Clements

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Bill Type and Number: Ordinance 2014-0385

Introducer/Sponsor(s): Council President at the request of the Mayor and Co-sponsored by Council Member Boyer:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 6, 2014

Type of Action: Appropriation

Bill Summary: This bill

- appropriates \$413,000 from Stormwater Services Fund Balance Account to Northeast Florida Builders Association Builders Care, Inc., to install water lines in the right of way to the Larsen Acres Community in Council District 5;
- invokes the exception of 126.107(g), *Ordinance Code*, to award the professional services to Northeast Florida Builders Association Builders Care, Inc.;
- designates oversight by the Public Works Department;
- approves and authorizes the Mayor, or his designee, and Corporation Secretary to execute and deliver a project agreement between the City of Jacksonville and Northeast Florida Builders Association Builders Care, Inc., to install water lines in the right of way to the Larsen Acres Community and for construction design and installation of same (at no cost);
- amends the 2013-2018 five-year Capital Improvement Program (approved by ordinance 2013-465-E) to authorize the project titled "Larsen Acres Community – water lines" to provide access to City water & sewer lines for residents.

Background Information: There are approximately 300 residential homes in the Larsen Neighborhood Association, Inc., many of which are not connected to the City's central water services system and utilize drinking water from unreliable water wells. The owners of the unconnected homes cannot afford the costs associated with connecting to the City's central water services system. Northeast Florida Builders Care have chosen through their charitable outreach to provide the planning, design, supervision, materials and labor necessary to extend the City's water lines into the Larsen neighborhood. The funding comes from loan income received from loans previously made by the Water and Sewer Expansion Authority.

Policy Impact Area: Extension of public water mains

Fiscal Impact: The appropriation of \$413,000 from Stormwater Services Fund Balance Account representing loan income from the Water and Sewer Expansion Authority.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2014-386

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

Date of Introduction: June 10, 2014

Committee(s) of Reference: R, F

Date of Analysis: June 12, 2014

Type of Action: Ordinance Code and City Charter amendments; approval of negotiated retirement reform agreement

Bill Summary: The bill approves the 2014 retirement reform agreement negotiated by the City and the Police and Fire Pension Fund Board of Trustees and amends Ordinance Code Chapter 121 – Police and Firefighters Pension Plan – and City Charter Article 22 - Police and Fire Pension Board of Trustees – to codify the terms and conditions of the agreement. Ordinance Code Chapter 121 amendments include the following:

- Effective October 1, 2014, the PFPF board will no longer determine or negotiate pension benefits and shall leave future negotiation over pension issues to certified bargaining agents, provided the City does not take unilateral action to alter the benefits covered by the present negotiated agreement prior to September 30, 2024.
- Creates within the PFPF four categories of members: Group I Members – active employees hired by the City and enrolled in the PFPF prior to October 1, 2014; Group II Members - active employees hired by the City and enrolled in the PFPF on and after October 1, 2014; Group I Retirees – former Group I Members who are retired under the terms of the plan; and Group II Retirees - former Group II Members who are retired under the terms of the plan.
- Increases the employee contributions of Group I members from 7% to 8% of salary on October 1, 2014, plus an additional 2% contribution for a total of 10% of salary (as defined) at such time as the 2% pay reduction imposed on firefighter members as of October 1, 2010 and 2% of the 3% pay reduction imposed on police officers as of January 1, 2012 are restored. The employee contribution for Group II members shall be 10% of salary (as defined). The 10% contribution rate shall also apply to Group II members during their BACKDROP period. Group I members will make a contribution of 2% during their DROP period, with the amount being credited to the PFPF's Base Benefit Fund. Defined salary includes base pay, longevity pay, City college incentive, enhanced certification pay, emergency operation and hazardous duty pay; it excludes overtime, state incentive pay, reimbursed expenses, clothing/cleaning allowances and payments for accrued unused leave time.
- Provides for both the City and the PFPF to make contributions to paying down the unfunded accrued actuarial liability (UAAL) of the fund. The PFPF will transfer the balances in its Enhanced Benefits Account and City Stabilization Account (approximately \$61 million total) to the City for application to the UAAL. The City will contribute \$40 million annually to paying down the UAAL until such time as the PFPF reaches an 80% funded status. The PFPF will allocate 100% of its Florida Premium Tax Dollars (Chapter 175/185 Funds) to the City to pay down the UAAL from FY14-15 through FY21-22, except for the portion of Chapter Funds allocated to the retiree "holiday bonus" created pursuant to Ordinance 2006-508-E (an annual discretionary bonus of up to 3% of a retiree's or survivor's annual pension benefit granted by the PFPF board). The City's and the PFPF's UAAL reduction payments are contingent upon one another; failure by one party to make the required full payment gives the other party the right to reduce its contribution by a proportional amount.

- Provides that each year the Chief Financial Officer shall convene an Additional Unfunded Liability Payment Committee consisting of the Council Auditor, Chief Administrative Officer, City Treasurer, Budget Officer, JEA Chief Financial Officer, and Chairman of the Jacksonville Retirement Reform Task Force (or his designee – the Chair of the Task Force’s Plan Funding Subcommittee) to identify City potential revenues and cost savings sufficient to fund the City’s UAAL obligation for the upcoming fiscal year, which the Mayor shall include in his/her recommended budget to the City Council. Should the Council decide not to appropriate the City’s required UAAL contribution for a fiscal year, it shall certify that decision in writing and inform the PFPF trustees of the reason for the decision.
- Creates a Supplemental Share Plan retirement benefit under which the PFPF board may annually deposit Chapter 175/185 funds, investment earnings and interest thereon into individual accounts for active police officers and firefighters based on shares representing years of employment; share accounts shall be payable to the employee upon termination of service after a minimum of 10 years. Share accounts of employees who terminate with less than 10 years of service shall be distributed proportionally to other active participants. The PFPF board shall invest the share plan funds in approved investment options.
- Requires the PFPF board of trustees to utilize the City’s standard search and selection process to select its next Executive Director/Administrator. Candidates shall be required to have a minimum of 5 years of pension administration or institutional investment experience, expertise in oversight of investment portfolios, and a degree in finance, economics, accounting or a related area of study from an accredited university. Candidates with CPA or CFA certification or a JD or MBA degree shall be preferred. Provides that the compensation package for the Executive Director shall be determined in accordance with a market analysis of comparably sized public pension plans. Provides that the Executive Director/Administrator and other senior staff of the PFPF shall be placed in either the City General Employee Pension Plan or a defined contribution plan with the PFPF’s employer contribution subject to the limits of state law. Provides that the current PFPF Senior Staff Pension Plan shall be frozen as of August 15, 2014 and no further benefits will accrue to the participants in that plan as of that date; current participants will receive benefits from that plan following their termination from service as if they had been enrolled in the FRS Special Risk Plan, unless the board sets a lesser benefit.
- Provides that, while the Charter gives the PFPF the authority to employ outside legal counsel, the City and PFPF agree that the Office of General Counsel shall be the entity to provide legal representation with regard to routine matters excluding investments, pension and/or retirement-related issues, for which specialized outside counsel may be used after consultation between the PFPF and the General Counsel.
- Maintains current retirement benefits for Group I members with 10 or more years of service; current members with less than 10 years of service at the time the new plan is adopted shall be entitled to a pension at a maximum of 80% of defined “average salary” received by the member for the last 104 pay periods (4 years) prior to retirement rather than the last 52 pay periods; Group II members shall be entitled, after 30 years of service, to a pension at a maximum of 75% of defined “average salary” received by the member for the last 130 pay periods worked (5 years), with a maximum benefit cap of \$99,999.99; the annual COLA for Group II members will be the percentage of the annual Social Security COLA, up to a maximum of 1.5%; Group II members suffering total and permanent disability shall be entitled to a disability pension equal to 50% of defined “average salary” for the 130 pay periods immediately preceding the date of the onset of disability.
- For Group I members, changes the guaranteed 8.4% rate of return on DROP accounts beginning January 6, 2015 to the actual rate of return, with a floor of 5% and a ceiling of 10%. Eliminates the DROP plan for Group II members are eligible for a Back-DROP of up to 5 years upon reaching 30 years of service, with a 2% accrual rate penalty for inclusion of any years of service less than 30; the interest rate on Back-DROP accounts will be the actual rate of return, with a floor of 0% and a ceiling of 10%.
- Creates a 5-member Financial Investment and Advisory Committee with members to be nominated by the Police and Fire Pension Fund Board of Trustees and confirmed by City Council to provide advisory oversight and advice to the PFPF trustees on financial matters, actuarial assumptions, investment strategy, and the selection of investment managers. Members are to be “financially sophisticated professionals” and must reside within the 5-county Northeast Florida region. Members are limited to 3 three-year terms. Advisory Committee members are deemed to be fiduciaries of the PFPF and subject to all state and local laws and regulations regarding ethics, conflict of interest, etc.
- Creates a new Part 6 in Chapter 121 – Ethics, Fiduciary Responsibilities and Best Practices – to spell out the fiduciary responsibilities of PFPF trustees, to require compliance with to all state and local laws and regulations regarding ethics, conflict of interest, etc. The section sets the annual actuarial assumed rate of return for the PFPF at 7%, to be modified only as required by law or upon agreement of the PFPF Board of

Trustees and the City, based on sound actuarial practices. Requires the PFPF to commission an annual actuarial evaluation of the fund to be delivered to the PFPF board, the Financial Investment and Advisory Committee, the City's Finance Director and the Council Auditor no later than 120 days after each October 1st. The bill establishes 7 mandatory actuarial approaches and assumptions and requires that the PFPF's produce a quarterly investment returns report which must be provided to the City's CFO and the Council Auditor upon completion and which must include gain and loss results both gross and net of investment fees and comparisons to the assumptions and benchmarks of the PFPF and investment results of comparable pension funds. Requires that the PFPF produce an annual financial statement for the fund by January 31 each year for the previous fiscal year which must comply with the GASB Statements #67 and #68, and that copies be provided to the Mayor, City Council President, City CRO, Council Auditor, and Treasurer of the PFPF.

- Requires that the PFPF publish on its website in a timely manner all of its financial and actuarial studies and reports created pursuant to Ordinance Code or law, minutes of its meetings for the past 3 years on a rolling basis, and copies of all reports or studies commissioned by the PFPF board, including but not limited to experience studies and investment performance reports.
- Requires that PFPF investment managers and advisors adhere to a written code of ethics or conduct or other standards reviewed and approved by the PFPF Board of Trustees and the Financial Investment and Advisory Committee; requires that investment managers and advisors declare any known actual or potential conflicts of interest; requires that investment managers and advisors to certify annually the PFPF board and Advisory Committee that they recognize and acknowledge their status as fiduciaries to the PFPF and agree to be bound by all the responsibilities of a fiduciary.
- Amends the City Charter to provide that the 5 members of the PFPF board of trustees shall be persons with professional financial experience and/or public pension experience, governance experience, institutional investment experience, community experience and wisdom, or comparable professional training, knowledge and expertise.

Background Information: The bill represents the agreement reached by the City and the PFPF administrator negotiating on behalf of the City's police and fire unions.

Policy Impact Area: PFPF pension reform

Fiscal Impact: Actuarial studies estimate the projected savings to the City of \$1.83 billion over 35 years in reduced Annual Required Contribution (ARC) payments, including interest savings from paying down the UAAL over the period. The PFPF agrees to contribute \$61 million from available reserve funds over the next 2 years. The City commits to paying \$40 million (source as yet undetermined) over and above the normal ARC for the next 10 years or until the PFPF reaches an actuarial funding rate of 80%, whichever is sooner. Excluding the City's additional contributions toward paying down the UAAL, the projected net cost savings is \$1.49 billion over 35 years.

Analyst: Clements

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Bill Type and Number: Ordinance 2014-387

Sponsor: Council President at the request of the Supervisor of Elections:

Date of Introduction: June 10, 2014

Committee(s) of Reference: R; F

Date of Analysis: June 13, 2014

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$107,399.09 (\$93,390.51 in Help America Voce Act (HAVA) funds received from the State of Florida, Department of State, Division of Elections, as election reform payment and a City match of \$14,008.58 from the Reserve for Federal Projects account) to provide funding for voter education, as initiated by B.t. 14-067; it provides for a carryover of funds to Fiscal Year 2014-2015.

Background Information: In part, as a reaction to the controversy surrounding the 2000 presidential election, the Help America Vote Act was enacted by the Congress and signed into law by the President in 2002. HAVA mandates that states and localities upgrade many aspects of their election procedures, including their voting machines, poll worker training and voter education.

Policy Impact: Supervisor of Elections

Fiscal Impact: The ordinance appropriates \$107,399.09

Analyst: Jackson

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Bill Type and Number: Ordinance 2014-0388

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

Date of Introduction: June 10, 2014

Committee(s) of Reference: PHS, F

Date of Analysis: June 6, 2014

Type of Action: Appropriation & Authorization

Bill Summary: This bill appropriates an \$800,000 Criminal Justice Reinvestment Grant (\$400,000 from the Department Of Children And Families; \$40,000 from Reserves - Federal Programs; and matching funds in the amount of \$360,000 in in-kind services from Community Partners) to implement a three-year Criminal Justice Mental Health And Substance Abuse Reinvestment Grant Program; providing a carryover of funds from year to year until such funds are expended or lapse according to the originating State or Federal Program Grant; authorizing part-time hours.

Background Information: The Criminal Justice Reinvestment Grant was created within the Department of Children and Family Services the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The purpose of the program is to provide funding to counties with which they can plan, implement, or expand initiatives that increase public safety, avert increased spending on criminal justice, and improve the accessibility and effectiveness of treatment services for adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders and who are in, or at risk of entering, the criminal or juvenile justice systems.

The target population for services under this program is youth who reside in Duval County with substance abuse or mental health problems who are at risk of entering into the juvenile justice system. The grant is effective May 1, 2014, and extends through March 31, 2017.

Policy Impact Area: Public Health & Safety, Jacksonville Children's Commission

Fiscal Impact: The appropriation of \$800,000 from a Criminal Justice Reinvestment Grant.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2014-389

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

Date of Introduction: June 10, 2014

Committee(s) of Reference: F, RCD

Date of Analysis: June 12, 2014

Type of Action: Appropriation; authorization to execute grant agreement forms; designation of oversight agency

Bill Summary: The bill appropriates \$750,000 from the Downtown Investment Authority's Downtown Economic Development Fund for use in a downtown retail enhancement grant program and approves the grant program guidelines and grant agreement form. The DIA is designated as the oversight agency for the program.

Background Information: The funding for the retail enhancement grant will come from the downtown enhancements account established by City Council for the DIA from the proceeds of a City bond refinancing last year. Grants will be made to downtown retailers for remodeling, renovation and other improvements to the interior and exterior of downtown retail establishments which exceed normal maintenance and repairs, with a maximum grant award of 50% of the cost of the improvements up to \$20 per square foot of space leased or occupied by the business. Generally renovation projects must exceed \$10,000 before the business is eligible for a grant. Grant recipients must agree to remain in the remodeled/renovated location for at least 5 years and must create or retain 2 or more full time equivalent jobs during that period. The grants will be made on a reimbursement basis, will be amortized over a period of 5 years and are recoverable by the City if the recipient defaults on any grant condition during the initial 5 year period. Grants may not be utilized for purchase of office equipment or machinery, moving expenses, working capital, or renovations of space on a speculative basis to attract new tenants (although this requirement may be waived on a case-by-case basis by the DIA).

Policy Impact Area: Downtown retail revitalization

Fiscal Impact: The bill appropriates \$750,000 from the Downtown Investment Authority's Downtown Economic Development Fund.

Analyst: Clements

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Bill Type and Number: Ordinance 2014-390

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

Date of Introduction: June 10, 2014

Committee(s) of Reference: F

Date of Analysis: June 12, 2014

Type of Action: Budget amendment

Bill Summary: The bill amends the City's FY12-13 budget by revise Schedules O, P, Q and R of the JTA budget to reflect actual operating revenues and expenses for the fiscal year following close-out of the budget year.

Background Information: The bill amends the FY12-13 budget to increase the JTA's bus operations budget from \$77.48 million to \$80.06 million; to increase the Skyway operating budget from \$4.79 million to \$5.76 million; to increase the paratransit budget from \$13.35 million to \$14.46 million; to increase the bus system capital budget from \$16.01 million to \$20.01 million; to increase the Skyway capital budget from \$300,000 to \$618,637; and to increase the paratransit capital budget from \$1.26 million to \$1.27 million.

The changes largely represent the allocation of \$1.1 million in additional local option gas tax revenue and \$2.65 million in additional sales tax revenue from the bus operations account to Skyway and CTC paratransit operations to supplement operating budget shortfalls.

Policy Impact Area: JTA budget reconciliation

Fiscal Impact: The bill increases the JTA's FY12-13 operating budget revenue and expenditures by \$7.68 million, with a net increase of \$4.67 million excluding transfers among expense accounts.

Analyst: Clements

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Bill Type and Number: Ordinance 2014-392

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 13, 2014

Type of Action: Appropriation; Lease Agreement Approval; Position Approval; Emergency Passage Request

Bill Summary: The ordinance appropriates \$20,460 to be received from Lutheran Services Florida, Inc. from July 1, 2014 through September 30, 2014 for rental of the Don Brewer Early Learning and Professional Center (the "center"), as initiated by B.t. 14-077; it approves and authorizes the Mayor and Corporation Secretary to execute that certain lease agreement between the City of Jacksonville ("landlord") and Lutheran Services Florida, Inc. ("tenant") under which tenant shall occupy the center for the purpose of operating a children's Head Start program, said lease agreement being for an initial term of five (5) years, with an option to renew for one (1) additional five (5) year term, at a monthly rental payment of \$6,820.00; the ordinance approves a position, as initiated by R.C. 14-183. One cycle emergency passage is requested.

Background Information: The nature of the emergency is that the Lease Agreement needs to be effective by July 1, 2014, so that Lutheran Services can have the Center ready to open in August.

Policy Impact: Jacksonville Children's Commission

Fiscal Impact: The ordinance appropriates \$20,460.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2014-0394

Introducer/Sponsor(s): Council Member Boyer:

Date of Introduction: June 10, 2014

Committee(s) of Reference: LUZ

Date of Analysis: June 6, 2014

Type of Action: Amending Ordinance Code

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 3 (Schedule of District Regulations), and Part 16 (Definitions), *Ordinance Code*, to modify certain Commercial, Business Park and Industrial Zoning Districts to allow for on-premises and off-premises sales in conjunction with the production of beer.

Background Information: There is a growing population of facilities that produce beer or wine for onsite consumption and distribution. The bill provides definitions, permissible zonings, categories, and regulations regarding the sales and production of beer for onsite and offsite uses.

Policy Impact Area: Land Use & Zoning

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2014-0395

Introducer/Sponsor(s): Council Member Boyer:

Date of Introduction: June 10, 2014

Committee(s) of Reference: LUZ

Date of Analysis: June 6, 2014

Type of Action: Text Amendment to 2030 Comprehensive Plan

Bill Summary: This bill

- approves proposed 2014B Series Text Amendment to the Future Land Use Element of the 2030 Comprehensive Plan of the City of Jacksonville;
- permits the use of facilities producing less than 5,000 barrels of beer for on-site consumption through PUD Zoning District with certain criteria in the Residential Professional and Institutional Land Use category, for transmittal to the State of Florida's various agencies for review.

Background Information: The Planning and Development Department initiated specific revisions and modifications to the text of the 2030 Comprehensive Plan to facilitate the appropriate and timely implementation of the plan with necessary supporting data and analysis to support and justify the amendments. The Planning and Development Department, Planning Commission and LUZ Committee seeks transmittal of proposed amendments through the State's expedited state review process to the Florida Department of Economic Opportunity and other agencies of interest and affiliation.

Policy Impact Area: Planning & Development Department, Land Use & Zoning, 2030 Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2014-396

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 10, 2014

Committee(s) of Reference: f; RCD

Date of Analysis: June 13, 2014

Type of Action: Lease Agreement Authorization

Bill Summary: The ordinance authorizes the Mayor and the Corporation Secretary to execute a cell tower lease agreement between Nexttower, LLC and the City of Jacksonville for Adolph Wurn Park, located at 2115 Dean Road in Council District 4.

Background Information: The tower lease provides for a cell tower site and a non-exclusive access utility easement to be located at Wurn Park, 2115 Dean Road. The proposed initial term is for five (5) years with five (5) five (5) year renewal options. The initial annual rental rate of \$25,000 meets the required rate set forth in Section 122, *Ordinance Code*, addressing cell tower leasing agreements.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The ordinance authorizes a lease agreement with an initial annual rental rate of \$25,000.00.

Analyst: Jackson

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LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2014-397

Sponsor: Council President-Designate Yarborough

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 5, 2014

Type of Action: Appointment/Election

Bill Summary: This bill elects the City Council Members for the 2014 Duval County Value Adjustment Board (VAB). Council Member John Crescimbeni will serve as Chair, Council Member Lori Boyer will serve as a member and Council Member Ray Holt 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 been the Chair of VAB since 2011 and served on the board continuously since 2009. This will be Council Member Holt's third consecutive term as an alternate member. Council Member Boyer previously served on the 2011 and 2012 boards.

Policy Impact Area: Value Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2014-398

Sponsor: Council President-Designate Yarborough

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 6, 2014

Type of Action: Reappointment

Bill Summary: This bill reappoints Kristanna B. "Kris" Barnes, as a citizen member, to the Value Adjustment Board (VAB), for the 2014 Tax Year, for the duration of the board hearings.

Background Information: The Duval County VAB is established pursuant to 194.015, *Florida Statutes*, and charged to hear appeals regarding property assessments and complaints against homestead exemption denials. The membership includes a citizen member, owning homestead property within the county, appointed by the City Council as the governing body of the county.

Ms. Barnes is a former member and chair of the Duval County School Board. During her two terms as a School Board Member, Ms. Barnes served on the VAB as an elected official and has served as the citizen homestead representative on the 2011, 2012 and 2013 VABs. Ms. Barnes has also served on the Construction Trades Qualifying Board. She resides in the Miramer area within Council District #5.

Attendance: According to records provided by the staff for the VAB, Ms. Barnes has attended 96% of the meetings of the board since her initial appointment in 2011.

| | Meetings Attended | Meetings Held |
|--------------|------------------------------|--------------------------|
| 2011 | 3 | 3 |
| 2012 | 9 | 10 |
| 2013 | 8 | 8 |
| 2014 | 3 | 3 |
| Total | 23 | 24 |

Policy Impact Area: Value Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2014-399

Sponsor: Council President-Designate Yarborough

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 9, 2014

Type of Action: Reappointment

Bill Summary: This bill reappoints Elaine E. Brown, to the St. Johns River Ferry Commission, for a first full three-year term ending June 30, 2017.

Background Information: The St. Johns River Ferry Commission is established pursuant to Chapter 93, *Ordinance Code*, and charged with the operational control of all operations, maintenance and capital improvements for the Mayport Ferry. Section 93.103, *Ordinance Code*, provides that four of the members shall be members of the general public appointed by the City Council.

Former Councilwoman Brown was elected to the Jacksonville City Council, as an At-Large representative, in 1999 and served until 2007. During her term on the City Council, Ms. Brown served as Council President for the 2004/2005 year. She currently serves on the Northeast Florida Regional Council, the Cultural Council of Greater Jacksonville, and the Cultural Service Grant Committee. Most recently, Ms. Brown served on the City Council Task Force on Consolidated Government. She resides in Neptune Beach within Council District #13.

Section 93.103, *Ordinance Code*, provides that initial terms for less than three-years on the Ferry Commission, shall not be deemed to be full terms. Because Ms. Brown was initially appointed for a term less than three-years, she is now eligible for appointment to a first full three-year term.

Attendance: According to records provided by the staff for the St. Johns River Ferry Commission, Ms. Brown has attended 100% of the meetings of the board since her initial appointment in 2012.

| | Meetings Attended | Meetings Held |
|-------------|------------------------------|--------------------------|
| 2012 | 12 | 12 |
| 2013 | 15 | 15 |
| 2014 | 5 | 5 |
| Total | 32 | 32 |

Policy Impact Area: St. Johns River Ferry Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2014-403

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 9, 2014

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Gloria D. Crawford as the Chief of Senior Services within the Parks, Recreation and Community Services Department.

Background Information: Ordinance 2013-209-E, enacted February 25, 2014, established the Senior Services Division and provides that the Chief shall have a bachelor's degree or higher in an accredited college or university in psychology, sociology or a related field and at least five years of experience in the social services or related field.

Ms. Crawford received a bachelor's degree in nursing from Florida A&M University and was a Practice Administrator with *Visiting Physicians Association and Visiting Podiatry* from 2007 to 2013. Ms. Crawford resides in Duval County.

Policy Impact Area: Parks, Recreation and Community Services Department / Senior Services Division operations

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

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2014-404

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 10, 2014

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Steven D. Long, Jr., P.E. as the Chief of Right-of-Way and Stormwater Maintenance within the Public Works Department.

Background Information: Ordinance 2013-209-E, enacted February 25, 2014, established the Division of Right-of-Way and Stormwater Maintenance and provides that the Chief shall have a four-year degree in engineering, construction, or construction management, be a registered professional engineer with a license in the State of Florida, and a minimum of five years of experience in managing buildings or working in the fields of building management, traffic engineering, or roadway and drainage design and maintenance.

Mr. Long received a master's degree in civil engineering from Florida State University and is a Florida licensed Professional Engineer. He has been employed with the City of Jacksonville since 1999, working his way up from Professional Engineer to Engineer Manager, a position he has held since 2004. Mr. Long resides in Duval County.

Policy Impact Area: Public Works Department operations

Fiscal Impact: According to Employee Services the salary range for this position is \$74,790 - \$122,107 annually.

Analyst: Merritt

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Bill Type and Number: Resolution 2014-405

Sponsor: Council President Gulliford

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 9, 2014

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Austin P. Chapman, P.E. to the Technical Advisory Committee (TAC) to the Concurrency and Mobility Management Systems Office, for a first term ending June 30, 2016.

Background Information: The TAC was established by Ordinance 2014-183-E and charged to assist in the development of an updated Concurrency and Mobility Management System Handbook and serve as technical advisors in appeals of concurrency and mobility decisions. Section 655.122(b), *Ordinance Code*, provides that the membership of the committee shall include three licensed professional traffic engineers appointed by the President of the City Council.

Mr. Chapman received a bachelor's degree in civil engineering from the University of North Florida. He is a Florida licensed Professional Engineer and member of the Institute of Transportation Engineers. Mr. Chapman is a Transportation Engineer with *Prosser*.

NOTE: Mr. Chapman is a resident of St. Johns County. Section 50.102, *Ordinance Code*, provides that members of boards and commissions shall be permanent residents of Duval County or shall maintain a substantial economic business interest or substantial philanthropic interest as determined by the City Council within Duval County.

Policy Impact Area: Concurrency and Mobility Management Systems Technical Advisory Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2014-406

Sponsor: Council Member Schellenberg

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 9, 2014

Type of Action: Appointment

Bill Summary: This bill appoints Arthur A. Costa, Sr. to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 6, for the remainder of the second term he previously vacated ending June 30, 2015.

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. Costa received a master's degree in education from Jacksonville University and a master's degree in economics from the University of Houston. He is retired from the telecommunications industry and resides in the Mandarin area within Council District #6.

Mr. Costa was reappointed to Council on Elder Affairs for a second term ending June 30, 2015, via Resolution 2013-320-A. He subsequently resigned before completion of that term and would now like to return to the board and complete his unexpired second term.

Attendance: According to information provided by the staff for the Council on Elder Affairs, Mr. Costa attended 92% of the meetings held during his previous appointment.

| | Meetings Attended | Meetings Held |
|-------------|------------------------------|--------------------------|
| 2011 | 6 | 6 |
| 2012 | 10 | 11 |
| 2013 | 6 | 7 |
| Total | 22 | 24 |

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

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2014-408

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 13, 2014

Type of Action: Appropriation; Request for Emergency Passage

Bill Summary: The ordinance appropriates \$1,200,000 from the Duval County Unified Courthouse Program/ Long Term Debt Account to the Courthouse – Old Federal Courthouse/State Attorney Account to allocate funds remaining in the Duval County Unified Courthouse Program for the build-out of the State Attorney's Office in the Old Federal Courthouse, as initiated by B.T. 14-081; it provides for a carryover of funds into Fiscal Year 2014-2015; it provides for future appropriations to the Old Federal Courthouse; *requests one cycle emergency passage.*

Background Information: All funds are within the \$350 million dollar authorized funds for the Duval County Unified Courthouse as approved by Ordinance 2007-040-E. Any further funds remaining in the Duval county Unified Courthouse Program may be moved to the Old Federal Courthouse project by transfer directive of an as needed basis by the Director of Public Works. *The nature of the emergency is the need to finish work on the first floor without requiring additional contractor's and subcontractor's time on the job and adding additional overhead costs to the project.*

Policy Impact: Public Works

Fiscal Impact: The ordinance appropriates \$1,200,000.00

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2014-409

Introducer/Sponsor(s): Council President Gulliford

Date of Introduction: June 10, 2014

Committee(s) of Reference: R, F

Date of Analysis: June 12, 2014

Type of Action: Appropriation; request for emergency action

Bill Summary: The bill appropriates \$13 million in proceeds from the Jacksonville Shipyard/Landmar/TriLegacy Settlement account to the Special Council Operating Contingency account. The bill is requested for emergency action on first reading.

Background Information: The City recently received a \$13 million settlement from the Jacksonville Shipyard/Landmar/TriLegacy bankruptcy court in settlement of unsecured claims resulting from the City's investment of public funds into the Shipyard project and the failure of several owners to bring the project to fruition. This bill accepts the settlement terms and deposits the funds into the Special Council Operating Contingency account to await future appropriation by the Council.

Policy Impact Area: Legal settlement

Fiscal Impact: The bill appropriates the \$13 million legal settlement into the Special Council Operating Contingency fund for future use.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2014-0410

Introducer/Sponsor(s): Council Member President Gulliford:

Date of Introduction: June 10, 2014

Committee(s) of Reference: R, F

Date of Analysis: June 11, 2014

Type of Action: Ordinance Amendment

Bill Summary: This bill amends Ordinance Code, Section 10.105 (C) (Postage and Communication Expenses of Council Members), Chapter 10 (Organization of the Council) to clarify the allowance allocated for emergency mobile or converged data services.

Background Information: City cellular phones were no longer issued to any elected or appointed or employee within the legislative branch effective July 1, 2005. Monthly allowances were established for City Council Members, and appointed officials or employees of the legislative branch. The allowance would assist in the expense of the cellular phone service (not to exceed \$90) and converged data service (not to exceed \$40) for utilizing personal phones for City business. This bill authorizes the monthly allowance not to exceed \$130 total for the phone and data service which still requires a request and verification.

Policy Impact Area: Ordinance Code

Fiscal Impact: Undetermined

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2014-411

Introducer/Sponsor(s): Council Member Yarborough

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 12, 2014

Type of Action: Rescheduling future City Council meetings

Bill Summary: The bill reschedules the City Council meeting of August 26, 2014 to August 27, reschedules the LUZ Committee meeting of November 4, 2014 to November 5, reschedules the City Council meeting of March 24, 2015 to March 25, and reschedules the LUZ Committee meeting of May 19, 2015 to May 20.

Background Information: The August and November 2014 and March and May 2015 meetings are being moved back by 1 day to avoid holding those meetings on state and local election days. The November 11, 2014 City Council meeting is being moved because of the conflict with the Veteran's Day holiday.

Policy Impact Area: Meeting schedules

Fiscal Impact: None

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2014-412

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

Date of Introduction: June 10, 2014

Committee(s) of Reference: R, F

Date of Analysis: June 12, 2014

Type of Action: Appropriation; request for emergency action

Bill Summary: The bill appropriates \$338,500 from the Banking Fund to a capital expenditure fund to provide for the purchase of two water taxi vessels. Emergency action is requested to facilitate the rapid purchase of the vessels to be placed into operation to replace the previous private water taxi operation that ceased operation on June 6th.

Background Information: For several years the City contracted with a water taxi operator selected by RFP to operate the water taxi service in the downtown area. The contract expired in January 2014, the City issued an RFP for service providers and only one response was received, from the current provider who continued to perform the service while negotiations on new contract terms took place. The City and the operator could not agree on a new contract and the operator discontinued service on June 6, 2014. The City administration proposes to purchase two vessels with 102 passenger and 50 passenger capacity. How the vessels will be operated has not been determined, although the administration has been exploring options for contracting with private operators to use the City's vessels.

Policy Impact Area: Water taxi service

Fiscal Impact: The bill appropriates \$338,500 from the Banking Fund to a capital expenditure fund.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2014-0413

Introducer/Sponsor(s): Council Member Daniels:

Date of Introduction: June 10, 2014

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

Date of Analysis: June 11, 2014

Type of Action: Appropriation

Bill Summary: This bill:

- 1) appropriates \$500,000 from General Funds noted as Shipyard/Landmar/Trilegacy Settlement Account to the Jacksonville Children's Commission for summer programs;
- 2) provides for reverter of funds;
- 3) invokes the exception of 126.107 (g), Ordinance Code to award \$16,427 to Operation Save Our Sons, Inc.;
- 4) invokes the exception of 126.107 (g), Ordinance Code to award \$17,512 to AMIKids Jacksonville, Inc., for professional services;
- 5) authorizes Office of General Counsel to prepare contracts for services provided by Operation Save Our Sons, Inc.;
- 6) authorizes Office of General Counsel to prepare contracts for services provided by AMIKids Jacksonville, Inc., (formerly known as Jacksonville Marine Institute, Inc.);
- 7) provides oversight by the Jacksonville Children's Commission;
- 8) waives Section 106.1202 (Expenditures for Food and Beverages Authorized) Ordinance Code to allow funding for the purchase of food for the Save Our Sons Annual Summit on June 14, 2014;
- 9) requests emergency passage upon introduction.

Background Information: This bill will provide an additional \$500,000 to the Jacksonville Children's Commission to increase the number of youth served through summer programs including funding Operation Save Our Sons Annual Summit.

The funding allocations are:

- \$53,974 - PACE Center for Girls (restore last year's budget reduction)
- \$75,000 - PGA/First Tee Public Private Partnership
- \$50,000 - Pilot's Camp Public Private Partnership
- \$98,000 - Summer Jobs Program (increase student capacity by 100)
- \$17,512 - AMIKids Jacksonville, Inc., (provide professional services through the invoked exception)
- \$16,427 - Operation Save Our Sons, Inc. (provide professional services through the invoked exception to operate their 2nd Annual Save Our Sons Summit to be held June 14, 2014)
- \$22,512 - MaliVai Washington
- \$166,575 - Summer Camps (increase available camp seats by 444 from various sites)

Policy Impact Area: Jacksonville Children's Commission

Fiscal Impact: Undetermined

Analyst: Mitchell

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LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2014-414

Sponsor: Council President Gulliford

Date of Introduction: June 10, 2014

Committee(s) of Reference: R

Date of Analysis: June 11, 2014

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Doris Sussman Goldstein to the Downtown Investment Authority Board, filling the seat formerly held by Michael Saylor as an urban planner, for a first full four-year term ending June 30, 2018.

Background Information: The Downtown Investment Authority is established pursuant to Chapter 55, Part 3, *Ordinance Code*, and charged as the sole development and community redevelopment agency for Downtown for the City of Jacksonville pursuant to Chapter 163, Part III, *Florida Statutes*. Section 55.307(b)(1), *Ordinance Code*, provides that four of the nine members of the board be appointed by the Council President and confirmed by Council, in various categories, including an urban planner .

Ms. Goldstein received a law degree from Harvard and is an attorney and planning consultant. She resides in the Beauclerc area within Council District #6.

Policy Impact Area: Downtown Investment Authority Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt