

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2013-368

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: F

Date of Analysis: June 13, 2013

Type of Action: Acknowledging submittal of tentative operating budget, capital budget and millage rate

Bill Summary: The bill acknowledges the submission by the Mayor of two tentative budgets for FY13-14, one based on the enactment of pension reform via pending Ordinance 2013-366 and the other formulated based on the failure of that ordinance to be enacted. The bill proposes a tentative millage rate of 10.0353 mills for the General Services District, 6.7446 mills in the Beaches cities, and 8.4472 mills for the Town of Baldwin. The bill sets the tentative rolled-back millage rate at 10.2844 mills for the General Services District, 6.7713 mills in the Beaches cities, and 8.6569 mills for the Town of Baldwin. The bill also acknowledges submission of a tentative Capital Improvement Program (CIP) budget covering 81 projects at a total FY13-14 cost of \$65,808,744.

Background Information: Section 106.200 of the Budget and Accounting Code provides that the Mayor shall by May 1st each year submit a tentative annual budget proposal, including revenues and expenses, an operating budget and a capital improvements budget, and tentative millage rate. The Council is required to act on that tentative budget by June 30th in order to provide the Mayor with guidance as to the proposed millage rate and general government expenditures for use in developing the formal budget proposal which must be submitted by the Mayor to the City Council by July 15th. This year the Council by Resolution 2013-283-A delayed the tentative budget submission deadline to June 3, 2013.

The tentative budget assuming no pension reform shows General Fund revenues and expenditures of \$950,020,294 and an estimated reduction of controllable costs totaling \$63.97 million or 13.88%. The tentative budget assuming that pension reform is enacted shows General Fund revenues and expenditures of \$950,020,294 and an estimated reduction of controllable costs totaling \$18.9 million or 4.09%.

Policy Impact Area: Budget preparation process

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2013-369

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: F

Date of Analysis: June 13, 2013

Type of Action: Approval of economic development incentives; fast-track approval process

Bill Summary: The bill approves an economic development agreement between the City and Energy Intelligence Worldwide Corp. (EIWC) for a state Qualified Targeted Industry grant with an enterprise zone bonus in an amount not to exceed \$315,000 (\$252,000 state, \$63,000 City match) for the creation of 45 new full-time jobs. The bill designates the Office of Economic Development as the City's oversight agency and authorizes the Executive Director of the OED to execute documents and make technical amendments as may be necessary to carry out the project. The bill affirms the compliance of the project with the City's Public Investment Policy.

Background Information: EIWC is an energy management consulting company that develops and implements energy conservation solutions for commercial building owners and operators. The company is headquartered in Jacksonville in the Baymeadows area and proposes to move its corporate headquarters to 100 North Laura Street and expand to 45 full-time employees earning an average wage of \$65,000 plus benefits, which exceeds 150% of the state average annual wage. The company proposes to make \$674,000 in capital investment in its new location for renovations and equipment.

Policy Impact Area: Economic development; downtown revitalization

Fiscal Impact: The City commits to paying up to \$63,000 in local match to a \$252,000 state QTI incentive with enterprise zone bonus.

Analyst: Clements

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Bill Type and Number: Resolution 2013-370

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: F

Date of Analysis: June 13, 2013

Type of Action: Approval of economic development incentives; fast-track approval process

Bill Summary: The bill approves execution of an economic development incentive agreement between the City and Total Quality Logistics, LLC for a state Qualified Targeted Industry grant in an amount not to exceed \$225,000 (\$180,000 state, \$45,000 local match) for the creation of 75 new full-time jobs. The bill designates the Office of Economic Development as the City's oversight agency and authorizes the Executive Director of the OED to execute documents and make technical amendments as may be necessary to carry out the project. The bill affirms the compliance of the project with the City's Public Investment Policy.

Background Information: Total Quality Logistics, headquartered in Cincinnati, is a freight brokerage firm arranging for the transportation of full truckload shipments throughout the United States and is the nation's second largest freight brokerage firm by sales volume. The company proposes to establish a branch office in Jacksonville and hire up to 75 new full-time employees at an average wage of \$48,700 plus benefits. The company proposes to make a capital investment of \$380,000 to equip a yet-to-be-determined office location of 5,000 square feet.

Policy Impact Area: Economic development

Fiscal Impact: The City commits to paying a QTI match of up to \$45,000.

Analyst: Clements

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Bill Type and Number: Resolution 2013-371

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: F

Date of Analysis: June 13, 2013

Type of Action: Approval of economic development incentives; public investment policy waiver

Bill Summary: The bill approves execution of an economic development incentive agreement between the City and Bank of America, NA for a state Qualified Targeted Industry grant in an amount not to exceed \$600,000 (\$480,000 state, \$120,000 local match) for the creation of 200 new full-time jobs and approves a Recapture Enhanced Value (REV) grant of \$438,422. The bill designates the Office of Economic Development as the City's oversight agency and authorizes the Executive Director of the OED to execute documents and make technical amendments as may be necessary to carry out the project. The bill waives the portion of the City's Public Investment Policy that sets a minimum score on the OED's project evaluation matrix in order to qualify a company for a 50% REV grant for a 6-year period.

Background Information: Bank of America is one of the country's largest financial institutions. The company proposes to create 200 new full-time jobs at its existing Jacksonville service centers paying an average wage of \$50,694 plus benefits (125% of the statewide average wage). The company will make a capital investment of \$13 million over three years to expand its current service centers. The Public Investment Policy waiver is requested to allow the company to qualify for a 50% REV grant over 6 years instead of the usual standard of 35% over 5 years.

Policy Impact Area: Economic development

Fiscal Impact: The bill commits the City to pay a QTI match of up to \$120,00 and a REV grant of up to \$438,422.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-372

Introducer/Sponsor(s): Council Member Brown

Date of Introduction: June 11, 2013

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

Date of Analysis: June 13, 2013

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 51 – Jacksonville Children’s Commission – to provide that the Executive Director of the commission shall be hired by the Mayor and confirmed by the Council rather than hired directly by the Children’s Commission board.

Background Information:

Policy Impact Area: Children’s Commission operations and accountability

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-373

Introducer/Sponsor(s): Council Member Brown

Date of Introduction: June 11, 2013

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

Date of Analysis: June 13, 2013

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 250 – Miscellaneous Business Regulations – to establish a penalty for property owners who allow persons to sell food, services or merchandise or to engage in any other business activity if those persons do not first obtain the appropriate transient vendor or other applicable permit. The property owner must maintain a copy of the transient merchant’s permit and be able to produce it for inspection by the Sheriff’s Office, Code Compliance, or other appropriate regulatory agency. The bill establishes violation of the provision as a Class E offense.

Background Information: Council Member Brown is concerned about the proliferation of non-permitted transient business operations (car washes, seafood and produce vendors, mobile food carts, etc.) that operate on private properties with the apparent permission of the owner of the property. This bill is intended to make the owners of private properties on which these businesses pop up responsible for ensuring that the businesses have the proper permits for their operations.

Policy Impact Area: Neighborhood improvement; code compliance enforcement

Fiscal Impact: Undetermined – may increase business license revenue if businesses currently operating illegally without permits are encouraged to become properly licensed.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-374

Introducer/Sponsor(s): Council Member Brown

Date of Introduction: June 11, 2013

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

Date of Analysis: June 13, 2013

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 656 – Zoning Code – to add uninhabited mobile homes or residential trailers used for non-residential purposes (i.e. storage) to the list of vehicles that are prohibited from being parked in off-street parking lots, on highway access roads, or on private property in residential or certain commercial districts except for the purpose of normal loading or unloading. The bill provides that a first repeat violation within a 6 month period after either a warning of notice of violation issued by the City shall constitute a Class D offense; subsequent violations shall constitute Class E offenses.

Background Information: The sponsor wants to prevent uninhabited mobile homes from being used as storage units and to prevent property owners from evading enforcement action by removing such units when given a first warning by Code Enforcement, then returning the unit several months later and using it until being given another warning citation. This bill would make a second Code Enforcement finding of violation a citeable offense, regardless of whether the first action was a warning or citation, and would increase the penalty for third or subsequent violations.

Policy Impact Area: Neighborhood improvement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2013-375

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: June 13, 2013

Type of Action: Appropriation; authorization to execute intergovernmental agreement

Bill Summary: The bill appropriates a \$250,000 grant from the Florida Defense Support Task Force/Enterprise Florida, Inc. to provide funding for a new explosive ordnance disposal training facility for the Florida Air National Guard's 125th Air Wing at Jacksonville International Airport. It authorizes the execution of an agreement between the City and Enterprise Florida, Inc.'s Florida Defense Support Task Force for receipt and expenditure of the funds.

Background Information: The FANG 125th Air Wing has received a grant from the state to create a new explosives disposal proficiency training range bunker facility at its JIA base, including construction of a bunker on a concrete pad and installation of a paved roadway, fencing, and electricity to the site. The bunker will be used by FANG to train its personnel in ordnance disposal and will be available for the safe disposal of any unexploded ordnance discovered in Northeast Florida by federal, state or local law enforcement or the military. The Florida Defense Support Task Force provides funding to projects that further the mission of preserving and enhancing the military presence in Florida, which constitutes a large part of the state's economy.

Policy Impact Area: Public safety enhancement; military support

Fiscal Impact: The bill appropriates a \$250,000 state grant with no local match.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-376

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

Committee(s) of Reference: F; RCD

Date of Analysis: June 14, 2013

Type of Action: Appropriation; Agreement Authorization

Bill Summary: The ordinance appropriates \$250,000 (\$200,000 from the Florida Defense Support Task Force/Enterprise Florida, Inc. and an in-kind contribution from the City of Jacksonville in personnel) to provide funds for advocacy efforts for the funding of a maritime research and development center near Naval Station Mayport, as initiated by B.T. 13-068; provides for a carryover of funds into Fiscal Year 2013-2014; authorizes the Mayor and Corporation Secretary to execute the agreement between the City and Enterprise Florida, Inc. for the Florida Defense Support Task Force.

Background Information: The Research and Development Center will bring together private contractors and state universities for research on underwater vehicles in conjunction with the U.S. Navy's under water training range. The term of the Agreement between the City and Enterprise Florida, Inc. for the Florida Defense Support Task Force is from the date of the execution of the Agreement until the final audit report is accepted by Enterprise Florida, Inc.

Policy Impact: Military Affairs, Veterans and Disabled Services Department

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

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-377

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

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

Date of Analysis: June 14, 2013

Type of Action: Appropriation

Bill Summary: The ordinance appropriates, pursuant to Ordinance 2007-286-E, \$539,244.81 (\$377,243.19 from Nuisance Abatement Liens, \$63,940.39 from Interest Sanitary Assessment, \$23,528.86 from Demolition Assessment, and \$74,532.37 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*, as initiated by B.T. 13-071; provides for carryover of funds to Fiscal Year 2013-2014.

Background Information: The City of Jacksonville encourages property owners to correct outstanding code violations. Some owners fail to ensure compliance, often due to neglect. Common privately-owned property safety and maintenance code violations include nuisance overgrowth, accumulation of garbage, trash, rubbish and/or debris; failure to maintain residential and commercial minimum building standards; unsafe structures which require condemnation, and abandoned/junk vehicles. The purpose of the appropriation in this ordinance is to provide funding for nuisance abatement contracting to remove property code violations city-wide. The Nuisance Abatement Lien Special Revenue Fund, which previously supplemented general revenue funding for nuisance abatement contractual services, now serves as the primary funding source to support contractual services.

Policy Impact: Neighborhood Department/Municipal Code Compliance Division

Fiscal Impact: The ordinance appropriates \$539,244.81.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-378

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

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

Date of Analysis: June 14, 2013

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$43,000 (a \$25,000 contribution from Terrell Hogan law firm and \$18,000 from Operating Supplies (05216) to Food Line Item (05206) in the Playgrounds and Centers Account) to provide funding for service programs and food for teen and young adult participants in the City's 2013 Summer Night Lights Program, as initiated by B.T. 13-077; provides for oversight by the Department of Parks & Recreation; requests emergency passage.

Background Information: The Summer Night Lights Program is an after-hours initiative to keep at-risk youth off the streets and in our parks, community centers and pools and involved in positive activities. Programs and activities include educational sessions, mentoring programs, sports leagues, dance instruction, art, music, nutrition, wellness and robotics. **Emergency passage is requested because the program begins on June 20, 2013 and the funding is needed at the start of the program.**

Policy Impact: Summer Night Lights Program; Parks & Recreation Department

Fiscal Impact: The ordinance appropriates \$43,000.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-379

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

Date of Introduction: June 11, 2013

Committee(s) of Reference: R, F

Date of Analysis: June 13, 2013

Type of Action: Appropriation; approval of designation of oversight agency; request for emergency action

Bill Summary: The bill appropriates a grant of \$222,208 from the Florida Department of Juvenile Justice to the Employee Services Department to provide funding to the Mayor's Summer Jobs Program and the Parks and Recreation Department's Summer Night Lights program. The bill authorizes the execution of a grant agreement with the Department of Juvenile Justice and designates the Employee Services Department as the oversight agency. The bill approves funding for 41 part-time positions, including lifeguards, pool managers, job coaches, and program managers. The bill requests emergency first-reading approval because the grant award was just received from the state at the end of May and the funds must be expended by September 30th, and the City Council will be taking its summer legislative holiday the first two weeks of July.

Background Information: The Mayor's summer jobs program is intended to provide workforce readiness and job application skills to 250 participants in the Learn To Earn program and summer jobs for 750 at-risk youth. The Summer Night Lights program will provide supervised swimming pool access to 500 at-risk youth and summer sports league participation for 250 at-risk youth. Recreational services will be provided at the following parks and community centers: Emmett Reed Community Center, RFK Community Center, Johnny Walker Community Center, Clanzel Brown Community Center, Eugene Butler Park, Eartha Napoleon Park, Charles Clark Community Center, Paxon Park, Thomas Jefferson Park and Woodland Acres Park. Summer job programs and Learn To Earn will take place at City Hall and other City facilities.

Policy Impact Area: Crime prevention; positive youth summer activities

Fiscal Impact: The bill appropriates a grant of \$222,208 from the Florida Department of Juvenile Justice.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-381

Introducer/Sponsor(s): Council Member Love

Date of Introduction: June 11, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: June 13, 2013

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

Bill Summary: The bill appropriates a total of \$88,343 (\$75,525.22 from Enterprise Park-South, \$5,845.96 from Enterprise Park-North and \$6,971.82 from the District 14 BJP bond fund) to the Rotary Club of Riverside to fund a portion of the cost of improvements for the Stockton Elementary School track and fencing project. The bill authorizes the execution of an agreement between the City and Rotary Club of Riverside Jacksonville, Florida, Inc. for expenditure of the funds and designates the Parks and Recreation Department as the oversight agency.

Background Information: The Rotary Club of Riverside is spearheading a project to remake the playing field and to add a running/walking track, fencing and landscaping around the perimeter of the field and track complex. The total project cost is estimated at \$345,849, and the club has sought City financial assistance through Council Member Love. The Stockton Elementary PTA has raised \$10,000, the Friends of Stockton \$5,000, and several Rotary Clubs have collectively raised \$15,000. This bill appropriates funding from Enterprise Park accounts and from the council district BJP bond fund to contribute to the project, which will be constructed by the Rotary Club of Riverside. The City contribution will be made on a reimbursement basis for costs incurred by the Club. The Enterprise Park North and South funds being allocated to the project are residual council district bond funds (BJP and Autumn Bond) left over from prior appropriations to Enterprise Park projects.

Policy Impact Area: Stockton Elementary School facility improvements

Fiscal Impact: The bill appropriates a total of \$88,343 (\$75,525.22 from Enterprise Park-South, \$5,845.96 from Enterprise Park-North and \$6,971.82 from the District 14 BJP bond fund) to the Rotary Club of Riverside.

Analyst: Clements

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Revised Summary

Bill Type and Number: Ordinance 2013-382

Introducer/Sponsor(s): Council Members Gaffney, Gulliford, Holt, Lee, Love, Lumb, Redman, Schellenberg & Yarborough

Date of Introduction: June 11, 2013

Committee(s) of Reference: PHS, F

Date of Analysis: June 13, 2013

Type of Action: Transfer authorization for departmental budget savings; authorization to administratively move funds

Bill Summary: The bill transfers any budgetary savings for ~~FY12-13~~ within the Office of the Sheriff derived from operational efficiencies (excluding internal service funds) at fiscal year-end to a Special Council Contingency account designated for the Sheriff, to be used for strategic law enforcement needs and not for normal operating expenses. The bill authorizes the Sheriff to transfer up to \$500,000 of appropriated funds within his budget into our out of any existing departmental object line for any specific purpose, project or issues, except that funds may not be transferred between subfunds or from Internal Service Fund accounts to other accounts. Such transfers shall be made by means of a memo to the Accounting Division with a copy to the Budget Office.

Background Information: By Ordinance 2012-450-E the Council appropriated \$ 6,123,184 in JSO budget savings from FY11-12 to use as a funding source to restore the extraordinary lapse imposed on the department's budget in FY12-13. This bill proposes to allocate savings from ~~FY12-13~~ to a designated contingency fund from which the Sheriff is authorized to draw funds for special strategic or other needs as issues arise during the fiscal year which are beyond normal operating expenses, ~~and which could not have been foreseen at budget adoption time. The Sheriff would be authorized to expend such funds by an administrative process without coming back to the Council for appropriation legislation.~~

Policy Impact Area: Sheriff's budget savings

Fiscal Impact: Undetermined – will appropriate the Sheriff's year-end budget savings (excluding any internal service charge savings) to a Special Council Contingency fund for the Sheriff's future use.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-383

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

Date of Introduction: June 11, 2013

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

Date of Analysis: June 13, 2013

Type of Action: Authorization of standard maintenance agreement with Florida Department of Transportation; request for emergency one cycle action

Bill Summary: The bill authorizes the administration to execute a revised Standard Maintenance Agreement with the Florida DOT for City maintenance of non-standard landscaping of state rights-of-way. The changes to the agreement are primarily formatting and titles, and the inclusion of greater detail, not substantive changes to policies, procedures or reimbursement rates. A 1-cycle emergency approval is requested so that the agreement can go into effect with FDOT by July 1st, the beginning of the state fiscal year, without any disruption of FDOT reimbursements to the City for work performed.

Background Information: The FDOT has rewritten its standard maintenance agreement, last adopted by the City in 1994. The new site list attached to the agreement covers 18 City-maintained sites on FDOT property in Jacksonville, while the former agreement covered 49 sites. The FDOT has resumed full maintenance of the 31 previously listed sites because of a change in state policy that now encourages plantings in and beautification of state road rights-of-way. With FDOT now assuming maintenance for trees and shrubs that it previously would not maintain, the City no longer needs to perform those duties on the beautified roadways. The City's reimbursement from FDOT will be reduced from \$410,488.28 per year for the 49 sites to \$127,943.47 for the 18 remaining sites.

Policy Impact Area: Roadway beautification; state financial reimbursement

Fiscal Impact: The bill approves a maintenance agreement that will result in the City being reimbursed \$127,943.47 from the FDOT for enhanced maintenance on 18 sites on FDOT roadways.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-384

Introducer/Sponsor(s): Council Member Daniels

Date of Introduction: June 11, 2013

Committee(s) of Reference: TEU, F

Date of Analysis: June 13, 2013

Type of Action: Authorizing license agreement for use of public building

Bill Summary: The bill approves a license agreement between the City and the Sons of Confederate Veterans, Kirby-Smith Camp 1209, Inc. for the use of the former National Guard Armory building at 851 North Market Street. The license agreement is for a term of 10 years with two additional 5-year renewal options for a token lease rate of \$1 per year, with the Kirby-Smith Camp providing for restoration of the building and mowing, maintenance and insurance of the facility and grounds.

Background Information: The armory building has not been occupied for a number of years since the Department of Parks and Recreation moved to a new location because of persistent flooding problems at the site from nearby Hogan's Creek. Kirby-Smith Camp 1209 proposes to hold its monthly meetings in the building and to offer occasional exhibits and events open to the general public on local and military history. The group will perform some of the restoration work itself and raise private funds to hire contractors for more substantial work.

Policy Impact Area: Rehabilitation of historic structure

Fiscal Impact: The lease provides for a token payment of \$1 per year, with the Kirby-Smith Camp funding utility, insurance and restoration costs.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-385

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

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

Date of Analysis: June 14, 2013

Type of Action: Surplus Declaration; Ordinance Code Waiver

Bill Summary: The ordinance declares seven ash-remediated properties on Project New Ground Ash-Remediated Parcels for Surplus Sale List (the "Listed Parcels") to be surplus to the needs of the City; authorizes the Real Estate Division of the Public Works Department to market and dispose of the Listed Parcels in accordance with Chapter 122, *Ordinance Code*; waives the provisions of Section 122.429 (Uses of Proceeds from Surplus Land Sales) of Chapter 122 (Public Property), *Ordinance Code*, so as to allow the new proceeds from the sale of the Listed Parcels to be deposited into the Contamination Assessment Fund (PWSW442CA 36403) for future appropriation to offset the costs of the remediation efforts.

Background Information: Ash was dumped and/or used as fill in several areas of the City, including those areas surrounding Forest Street, Fifth and Cleveland Streets, Lonnie C. Miller, Jr. Park and the former Brown's Dump. Project New Ground (the "Project") is a long-term clean-up Project administered by the Remediation Program Coordinator that calls for the City to test and, where necessary, remove up to two (2) feet of soil from properties that have ash deposits, which may contain lead and other contaminants. The Project entails hundreds of properties being remediated and/or deemed safe for return to private ownership. The ordinance authorizes the sale of the ash-remediated properties. By waiving Chapter 122-429, the proceeds from the sale of each parcel are to be returned to the Contamination Assessment Fund by depositing the proceeds in an account to help offset the City's expense of the remediation effort, as well as to alleviate mounting maintenance expense.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-386

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

Committee(s) of Reference: TEU

Date of Analysis: June 14, 2013

Type of Action: Easement Closure

Bill Summary: The ordinance closes, abandons, and/or disclaims a 300 foot portion of an unused drainage easement, established via Plat Book 22, Page 23, dated June 26, 1950, in the public records of Duval County, in Council District 3, at the request of John Kiddy of Crown Commercial Real Estate, Inc. on behalf of Prosperity Bank, St. Augustine, Florida, in order to allow retail development of the property.

Background Information: The purpose of the closure is to allow retail development of the property; the development plan covers property owned by the applicant on both sides of the easement. The easement contains no infrastructure and has never been used. The closure request has been sent to the various municipal agencies which might have an interest in this matter. There were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$500.00 processing fee.

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2013-387

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

Committee(s) of Reference: TEU

Date of Analysis: June 14, 2013

Type of Action: Easement Closure

Bill Summary: The ordinance closes, abandons, and /or disclaims a 5 feet wide by 167.79 feet long portion of an 85 feet wide by 282.71 long drainage easement, established via Official Records Book 3589, Page 178, dated October 2, 1973, in the public records of Duval County, in Council District 10, at the request of John D. Hiers (the "applicant") to rectify an encroachment into the drainage easement.

Background Information: The application for the easement closure is made by John D. Hiers, 7249 Hyde Grove Avenue, Jacksonville 32210. The abandonment of this portion of the easement is to rectify an encroachment into the easement. The encroachment consists of a retaining wall at the property line along the edge of the easement and a one foot encroachment of the corner of a garage. The closure request has been sent to the various municipal agencies which might have an interest in this matter. There were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$1,000.00 processing fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-388

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

Committee(s) of Reference: TEU

Date of Analysis: June 14, 2013

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons, and/or disclaims Benson Court, a platted, unopened, and unimproved right-of-way in Long Branch as recorded and established via Plat Book AH, Page 526, dated prior to May 3, 1901, in the former public records of Duval County, in council district 7, at the request of Eagle Transportation Corporation (the "applicant") to alleviate a building encroachment in to the right-of-way and to expand applicant's Light Industrial property for a site improvement project, subject to reservation unto the City of Jacksonville and JEA of easements over the right-of-way for ingress and egress and for all utilities.

Background Information: This closure has been sent to the various State, municipal and utilities agencies which might have an interest in this matter and to the adjacent property owner. There were no objections. The closed right-of-way will be used for a landscape buffer to meet city landscape requirements which are listed in the construction Plan Review, Development Number 4234.001.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$1,500.00 processing fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-389

Sponsor: Council President at the request of the Mayor:

Date of Introduction: June 11, 2013

Committee(s) of Reference: TEU

Date of Analysis: June 14, 2013

Type of Action: Rights-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims portions of the 50 foot wide platted, opened, and improved rights-of-way of Dr. Roy Baker Street, James Hall Drive, and the entirety of Venus-Mars Court, all in Council District 7 and all established via Plat Book 25, Page 56, dated August 18, 1954, in the public records of Duval County, Florida, at the request of SP University Plaza 2012 LP ("applicant") so as to allow applicant to create a gated community to enhance safety and security within the apartment complex subject to reservation unto City and JEA of easements over the closed rights-of-way for ingress and egress and for all utilities.

Background Information: The proposed closures are all entirely within the property boundaries of the apartment complex which is the entirety of the plat of Venus-Mars court. The applicant, SP University Plaza 2012 LP, is the owner of University Plaza Apartments. This closure request has been sent to the various State, municipal and utility agencies which might have an interest in this matter and to the adjacent property owners. There were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$4,500 application processing fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-390

Sponsor: Council Member Jones:

Date of Introduction: June 11, 2013

Committee(s) of Reference: R; TEU

Date of Analysis: June 14, 2013

Type of Action: Honorary Street Designation; Ordinance Code Waiver

Bill Summary: The ordinance establishes an honorary street designation on a segment of Woodside Street extending from the intersection of Line Street to the intersection of Carrie Street in Jacksonville for the Reverend Henry Ambrose Cotton; provides for the installation of two honorary roadway markers to be located in appropriate locations on the designated roadway in Council District 9; the designation honors the life of the Reverend Henry Ambrose cotton; provides for conformance with Part I (General Provisions) of Chapter 745, *Ordinance Code*, (Addressing and street Naming Regulations); waives the requirements of Section 745.105(e) (2), *Ordinance Code*, regarding persons who honorary street designation may be named after; directs Legislative Services to forward the ordinance to the Planning and Development Department.

Background Information: Born November 26, 1922, the Reverend Henry Ambrose Cotton arrived in Jacksonville at the age of 14 from Waycross, Georgia with his mother. At the age of 20, Reverend Cotton joined the United States Navy and served in World War II. Wounded in combat, Reverend Cotton received an honorary discharge as a Disabled American Veteran. Reverend Cotton married Geneva Jackson, also from Waycross, and lived a happy, successful married life for 67 years. For more than 67 years, the Reverend Henry Cotton Ambrose was a faithful member of the West Friendship Missionary Baptist Church in Jacksonville; he was Secretary of the Deacons Board, president of the Ushers Board and Dean and Superintendent of Sunday School. Reverend Cotton was very involved in fraternal organizations and widely recognized as a skilled gardener. A private donor has provided funding to cover the costs of the roadway markers.

Policy Impact: Public Works

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2013-401

Sponsor: Council President at the request of the Civil Service Board

Date of Introduction: June 11, 2013

Committee(s) of Reference: R

Date of Analysis: June 11, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Civil Service Board's appointment of Ellye Smith Aull, as a member of the Civil Service Board, replacing Anthony Zebouni, for a first full three-year term ending June 30, 2016.

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 one of the nine members of the Civil Service Board shall be appointed by the board, subject to the confirmation by the City Council.

Ms. Aull received a law degree from the University of Miami and is an Assistant Vice President / Counsel with *Fidelity National Title Group*. She resides in Duval County and, according to the Office of the Supervisor of Elections, she is a Duval County registered voter.

Policy Impact Area: Civil Service Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-402

Sponsor: Council President at the request of JEA

Date of Introduction: June 11, 2013

Committee(s) of Reference: R

Date of Analysis: June 11, 2013

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms JEA's reappointment of Y. Elaine Tisdale, as a member of the Civil Service Board, for a second three-year term ending June 30, 2015.

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 nine members of the Civil Service Board shall be appointed by JEA, subject to the confirmation by the City Council.

Ms. Tisdale received a bachelor's degree in sociology from Hampton University and is the Director of Human Resources and Equity Officer at *Florida State College at Jacksonville*. She has previously served on the Cultural Service Grant Committee. Ms. Tisdale resides in the Woodmere area within Council District #1 and, according to the Office of the Supervisor of Elections, she is a Duval County registered voter.

Policy Impact Area: Civil Service Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-403

Sponsor: Council President-Designate Gulliford

Date of Introduction: June 11, 2013

Committee(s) of Reference: R

Date of Analysis: June 10, 2013

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Theodore J. Wendler, to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second three-year term ending June 30, 2016.

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

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be residents of the city with an interest in city financial planning and budgeting and knowledge or expertise in financial management or accounting, and shall be appointed by the President of the Council and confirmed by the Council.

Mr. Wendler received a bachelor's degree from the University of Miami and is a Florida licensed Certified Public Accountant. He resides in the Alderman Park area within Council District #1.

Attendance: According to information provided by the staff for the TRUE Commission, Mr. Wendler has attended 88% of the meetings since his initial appointment in 2010.

	Meetings Attended	Meetings Held
2010	4	5
2011	10	12
2012	11	11
2013	4	5
Total	29	33

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-404

Sponsor: Council President-Designate Gulliford

Date of Introduction: June 11, 2013

Committee(s) of Reference: R

Date of Analysis: June 10, 2013

Type of Action: Reappointment

Bill Summary: This bill reappoints Lawrence E. "Larry" Williams, III, to the St. Johns River Ferry Commission, for a first full three-year term ending June 30, 2016.

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 nine members shall be members of the general public appointed by the City Council. The members may reside within Duval, Nassau or St. Johns County.

Mr. Williams is the Owner / Principal of *Larry Williams Consulting, LLC*. He also serves as President of the Northeast Florida Regional Council and resides in Nassau County.

Attendance: According to information provided by the staff for the St. Johns River Ferry Commission, Mr. Williams has attended 42% of the meetings since his initial appointment in 2012.

	Meetings Attended	Meetings Held
2012	8	12
2013	0	7
Total	8	19

Policy Impact Area: St. Johns River Ferry Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2013-408

Introducer/Sponsor(s): Council President Bishop

Date of Introduction: June 11, 2013

Committee(s) of Reference: F, RCD

Date of Analysis: June 13, 2013

Type of Action: Expression of City support for project

Bill Summary: The bill expresses the City support for the efforts of the Jacksonville Historic Naval Ship Association (JHNSA) to bring the retired Navy destroyer USS Charles F. Adams to downtown Jacksonville as a historic ship museum, docked at the former Jacksonville Shipyards pier. The City's expression of support is conditioned upon all relevant parties (JHNSA, U.S. Navy, State of Florida, etc.) entering into agreements that fully protect their respective property rights and ensure that the City is making no financial contribution and assuming no financial risk with regard to the project.

Background Information: By Ordinance 2010-675-E the City expressed its support of the JHNSA's efforts to bring the USS Charles Adams to Jacksonville and to dock the ship adjacent to the Acosta Bridge on the Southbank Riverwalk, between the River City Brewing Company marina and the bridge. The JHNSA has since determined that it would be more expeditious to utilize the existing Jacksonville Shipyards pier on the Northbank Riverwalk east of the Plaza Condominiums at Berkman Plaza.

Policy Impact Area: Downtown tourist attraction

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-409

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: June 11, 2013

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

Date of Analysis: June 13, 2013

Type of Action: Ordinance Code amendment; request for emergency approval

Bill Summary: The bill amends Ordinance Code Chapter 122 – Public Property – to permit the Real Estate Division to execute a master tower lease agreement as approved by the General Counsel’s Office, subject to monetary terms set forth in the Ordinance Code. The bill requests emergency approval on second reading after one committee cycle.

Background Information: The amendment provides that the Master Tower Lease Agreement must be approved as to form by the General Counsel’s Office rather than simply complying with the Ordinance Code provision as is currently the case. The bill is requested for emergency approval because a tower lease proposal is pending for Alberts Park in Mandarin to add a cell tower to improve cell phone coverage in the area.

Policy Impact Area: Cellular phone tower leases on public property

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-411

Introducer/Sponsor(s): Council Members Gaffney and Lee

Date of Introduction: June 11, 2013

Committee(s) of Reference: Approved as an emergency on first reading – no committee reference

Date of Analysis: June 13, 2013

Type of Action: Expression of support for participation in Community Contribution Tax Credit program

Bill Summary: The bill expresses the City's support by Guardian Catholic Schools, Inc. for designation of the eligibility of its two elementary schools for participation in the state community contribution tax credit program.

Background Information: The Community Contribution Tax Credit allows corporations making contributions of cash or goods to approved not-for-profit organizations to take a credit against their corporate income taxes for the amount of the donation. Guardian Catholic Schools, Inc. is a support group for the Catholic elementary schools (PK-3 to Grade 8) at St. Pius V Catholic Church on Blue Avenue and Holy Rosary Catholic Church on Brentwood Avenue. The schools intend to raise donations of money and building materials to assist with renovations and security improvements at the two schools. Participation in the Community Contribution Tax Credit program would permit businesses making donations to the school improvement projects eligible to claim a credit for the amount of the donations against their state corporate tax bill. The Planning and Development Department has certified that the planned school rehabilitation program is in compliance with the City's 2030 Comprehensive Plan.

Policy Impact Area: Educational improvement

Fiscal Impact: None to City

Analyst: Clements