

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2007-676

Sponsor: Council Member Lockett-Felder:

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID; R; A

Date of Analysis: June 15, 2007

Type of Action: Appropriation; Ordinance Code Waiver

Bill Summary: This ordinance appropriates \$98,352.50 (\$83,237 from ETR Bonds, Series 2004 (Autumn Bonds) from Council District 7 Excise Tax Revenue Bond and \$15,115.50 Better Jacksonville Plan Council District 7 Bond Funds) for the purchase of a 10060 IU22 Ultrasound System for use at Shands Jacksonville Eastside Clinic located at 1155 East 21st Street in Council District 7. There is a reveter clause. The bill waives the requirements of the Autumn Bond, Ordinance 2004-998-E, as amended by 2005-1044-E and Section 106.315, *Ordinance Code*, that bond funds be used on City property. The bill requests that the Mayor appoint a department to oversee the expenditure.

Background Information: Purchase of an ultrasound system for Shands, the City's indigent care partner, will help provide comprehensive care in the diagnosis and treatment of women at risk on the City's Eastside where the number of women at risk is considerable.

Policy Impact: Health Care/Shands/District Bond Funds

Fiscal Impact: This bill appropriates \$98,352

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-677

Sponsor: Council Member Ray

Date of Introduction: June 12, 2007

Committee(s) of Reference: R; F; A; ECID

Date of Analysis: June 14, 2007

Type of Action: Contract Amendment/Appropriation

Bill Summary: This bill appropriates \$50,000 from an Autumn Bonds District 1 (Excise Tax Revenue 2004) account to contribute funding for equipment and improvements in support of the establishment of an adaptive ADA rowing center that will be open to the public, finding that such contribution serves a valid municipal purpose. The requirement that bond funds be used on City property is waived to allow expenditures to be used on the property of Jacksonville University, and Jacksonville University is required to comply with various provisions of the Ordinance Code concerning District Council expenditures and miscellaneous appropriations. Authorization is given for the Mayor, his designee, and Corporation Secretary to execute an amendment to the agreement between the City and Jacksonville University for the project, increasing funding by \$50,000. Additionally, the Mayor is requested to appoint the Dept. of Parks, Recreation, Entertainment, and Conservation to insure compliance with the agreement and other appropriate laws.

Background Information: Ordinance 2006-1095-E appropriated \$250,000 for the rowing center project. A shortfall of \$50,000 is anticipated. The agreement amendment provides for a new total not-to-exceed amount of \$300,000 in recognition of the additional appropriation.

Policy Impact Area: Council District Bond Funds; Recreation

Fiscal Impact: \$50,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-678

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 14, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$895,667 (\$619,500 from the 911 Wireless Fund and \$276,167 from the Wireless Capital Equipment Replacement Fund) to provide funding for the replacement of call answering equipment and computer workstations to update the Fire Public Safety Answering Point. Provision is made for the carryover of appropriated funds to the 2007-2008 fiscal year.

Background Information: Information on file states that funding will include equipment purchase and installation, more specifically involving call answering equipment, workstations, monitors for map display, recording equipment, servers, software and licenses, time clock synchronization system, wiring, site preparation, consoles, chairs, other miscellaneous furniture, and shipping.

Policy Impact Area: Public Safety

Fiscal Impact: \$895,667 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-679

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 14, 2007

Type of Action: Closure

Bill Summary: This bill closes a portion of Arnau Terrace as a right-of-way to allow for development of surrounding property. A \$1,500 closure application fee has been paid, and any governmental agency objections have been resolved.

Background Information: The closure area is a 50-foot opened and improved right-of-way created by the Plat of Silcox Subdivision and located between Lenox Avenue and I-10. Information from the Real Estate Division shows the applicant as being McKendree Enterprises of Jacksonville.

Policy Impact Area: Real Estate-Closures; Rights-of-Way

Fiscal Impact: Undetermined; a \$1,500 closure application fee has been paid

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-684

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 15, 2007

Type of Action: Appropriation; Budget Adoption

Bill Summary: This ordinance appropriates \$292,160 for the Criminal Justice Training Trust Fund. This is a continuation grant from the Florida Department of Law Enforcement. The funds are to be used exclusively for advanced and specialized training for law enforcement and correctional officers, administrative costs and operating capital outlay approved by the Criminal Justice Standards and Training Commission, as initiated by B. T. 08-002. The funds carryover to Fiscal Year 2007-2008. The bill adopts a budget for Fiscal Year 2007-2008.

Background Information: Florida Statutes, Chapter 943.25, require the appropriation of funds and the adoption of the Officer Training Monies Operating Budget budget for the Criminal Justice Training Trust Fund (for the 2007-2008 Fiscal Year).

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: The ordinance appropriates \$292,160 FDLE Continuation grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-685

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 15, 2007

Type of Action: Appropriation

Bill Summary: The ordinance appropriates funds from the United States Department of Education to the Jacksonville Children's Commission Special Revenue Grant Fund – 21st Century Community Learning Centers Grant to provide funding of \$879,109 for Team-Up Programs in Rutledge Pearson Elementary School, Pinedale Elementary School and John Love Elementary School, schools which are not currently being served by Team-Up programs, for the period July 1, 2007, to June 30, 2008, the first year of the five year grant, as initiated by B.T. 09-001. The ordinance further appropriates ten percent (10%) of the grant in the event that additional grant funds are secured.

Background Information: Team-Up Programs are after-school programs that primarily concentrate on assisting public school elementary school students with reading skills. The School Board considers this literacy program one of their safety-nets.

Policy Impact: Literacy/Jacksonville Children's Commission

Fiscal Impact: The bill appropriates \$879,109

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-686

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 14, 2007

Type of Action: Agreement Authorization

Bill Summary: This bill authorizes the Mayor, or designee, and Corporation Secretary to execute a Stipulation of Parties Agreement with US Gypsum and the Florida Dept. of Transportation relative to highway-rail grade crossings.

Background Information: Said agreement provides for the closing of two existing crossings (one on Evergreen Avenue and the other on 58th Street) and the opening of two new crossings (one on Evergreen Avenue and the other on 59th Street). The majority of the work is to be done at the expense of US Gypsum, with the City responsible at the new crossings for maintenance of the roadway up to the edge of the railroad crossing (including all pavement structure, pavement surface, shoulders, drainage, sidewalks, pavement striping, advance pavement markings, erosion control, tree cutting, mowing, and advance warning signs).

Policy Impact Area: Rail Crossings

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-687

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 14, 2007

Type of Action: Authorizations for Agreement and Letter of Agreement

Bill Summary: This bill authorizes the Mayor, or designee, and Corporation Secretary to execute an agreement with Shands Jacksonville (formerly known as University Medical Center) and a Letter of Agreement with the State of Florida, Agency for Health Care Administration, concerning payment and distribution of the City's \$23,775,594 indigent health care contract obligation for the 2007-2008 fiscal year. Additionally, the Mayor, or designee, and Corporation Secretary are authorized to take necessary and appropriate further action to effectuate the purposes of this ordinance.

Background Information: The stated purpose of the ordinance is to provide for distribution of the City's contribution to indigent care funding between Shands and the State of Florida as part of the State's Medicaid Hospital Program. The program allows the City funds to draw down additional federal funds for the provision of indigent medical care.

Policy Impact Area: Indigent Care

Fiscal Impact: Undetermined; the agreements provide for distribution of the City's \$23,775,594 indigent care contract obligation, the same amount as in 2006-2007.

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-688

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 15, 2007

Type of Action: Ordinance Amendment

Bill Summary: This ordinance amends Ordinance 2005-530-E, which appropriated \$400,000 from the Department of Community Affairs to the Jacksonville Housing Commission for the Residential Construction Mitigation Program Grant, as originally initiated by B.T. 05-162, by de-authorizing \$210,00 of the grant, as initiated by B.T. 07-156.

Background Information: The City had initially applied for a grant in the amount of \$400,000. Owing to budget reductions on the State level, the amount of the actual grant received was \$190,000. The \$210,000 portion of the grant not received is de-authorized by this bill. Funds in the Residential Construction Mitigation Program are allocated for housing rehabilitation, retrofitting and hurricane fitting.

Policy Impact: Housing and Neighborhoods Department/Housing Services Division

Fiscal Impact: This bill de-authorizes \$210,000 from a previously enacted appropriation.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-689

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 15, 2007

Type of Action: Redevelopment Agreement First Amendment Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute a First Amendment to the Redevelopment Agreement among Riverplace Development, LLC, the City of Jacksonville and the Jacksonville Economic Development Commission dated November 19, 2004 providing for the exclusion of the six penthouse units from the calculation of the average per square foot sales price.

Background Information: On December 4, 2004, JEDC approved an economic development grant for ten years to the developer based on the average per square foot sales price. The developer's REV grant will be reduced on a declining basis if the sales price per square foot is greater than \$229. The original intent of the Agreement was that the six units excluded from the calculation of the average per square foot sales price be the six penthouses units. The First Amendment to the Redevelopment Agreement amends the calculation of the average per square foot sales price be the six penthouse units. This change in language will not increase the City's liability as the REV Grant is capped at \$3.6 million.

Policy Impact: Jacksonville Economic Development Commission/REV Grants

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-690

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 14, 2007

Type of Action: Authorization of lease amendment

Bill Summary: The bill authorizes a second amendment to the lease between the City and FCCJ for property at Cecil Commerce Center to allow FCCJ to utilize an additional 15.3 acres of Parcel S08 for up to 3 years (with a 2-year renewal option) for a temporary commercial vehicle driver training facility while constructing a permanent facility at Cecil Commerce. The lease shall be at no cost, in consideration of a planned \$50,000 investment in City facilities by FCCJ.

Background Information: As part of its overall emphasis on aviation, transportation and logistics programs, FCCJ plans to operate a commercial vehicle (tractor trailer) driver training program at Cecil Commerce Center, initially holding classes in FCCJ's Aviation Center of Excellence while constructing a building to house the program permanently. FCCJ proposes to temporarily lease property to construct a vehicle parking and outdoor instruction area to use until the permanent facility is completed on its Aviation Center for Excellence parcel.

Policy Impact Area: Cecil Commerce Center development

Fiscal Impact: The lease is at no cost to FCCJ, in consideration of site improvements to be provided by FCCJ at no cost to the City.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-691

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

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 15, 2007

Type of Action: Redevelopment Agreement Approval

Bill Summary: This ordinance authorizes and approves the execution of a Purchase, Sale and Redevelopment Agreement among the City of Jacksonville, the Jacksonville Economic Development Commission and Clara White Mission ("developer"), for the sale of four parcels of city property located in LaVilla to the developer in connection with the private redevelopment of the parcels to provide approximately fifty (50) units of affordable housing for the transitional graduates of the Clara White Mission Culinary Arts Program. The ordinance authorizes approval of technical changes to the Redevelopment Agreement. JEDC is designated to monitor the project. Clara White Mission and the proposed development project site are located on Ashley Street in Council District 9.

Background Information: The four City owned parcels to be conveyed for the redevelopment are located on LaVilla Block 16 (07406-0000, 074611-0000, 074612-0000, 074615-0000). The properties abut the mission operation. The City deemed the property as surplus for the City's redevelopment efforts in LaVilla. The project will be managed as a for profit entity known as Ashley Oaks Partners LLC with oversight through the Clara White Mission.

Policy Impact: Affordable Housing/Economic Development/JEDC

Fiscal Impact: The appraised value for the four city-owned surplus properties is \$750,000; the Clara White Mission proposes to purchase the parcels for \$454,785; the Mission will deed two of their properties (074597, 074598) valued at \$200,000 to the City at no cost; the Mission will incur mitigation expenses up to \$200,000 on parcels deeded to the City.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007 - 692

Sponsor: Transportation, Energy, Utilities & Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 15, 2007

Type of Action: Approving a fair share assessment application and contract.

Bill Summary: This bill approves a Fair Share Assessment application and contract between the City of Jacksonville and Pickettville Partners, Ltd., for the Sportsman Club residential project.

Background Information: The Sportsman Club project will consist of a maximum of 550 apartments to be built on 61.98± acres of land on Pritchard Road between Interstate I-295 and Imeson Road located in District 10. The said project is assigned a Fair Share Assessment sum of \$296,017 over a term of 6 years. The peak hour p.m. hour trip estimation created on deficit links in fund sector 5.1 as follows:

<u>Peak Hour Trips</u>	<u>Link#</u>	<u>Roads</u>
89	78	I-295 (I-10 to New Kings Rd)
51	147	Old Kings Rd (Edgewood Ave to Plummer Rd)
183	337	Pritchard Rd (I-295 to Old Kings Rd)
1	341	Imeson Rd (Commonwealth Ave to Pritchard Rd)
9	342	Imeson Rd (Pritchard Rd to Garden St)
63	575	Soutel Dr (Old Kings Rd to New Kings Rd)
245	581	Pritchard Rd (Imeson Rd to I-295)

Policy Impact Area: Economic Development/Street and Roads

Fiscal Impact: The account will see a Fair Share Assessment of \$296,017 to the Sector 5.1 fund.

Analyst: Blazs

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Bill Type and Number: Resolution 2007-693

Sponsor: Council President Corrigan

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 8, 2007

Type of Action: Reappointment

Bill Summary: This bill reappoints Vicki Bridges to the Duval County Tourist Development Council, as a representative of the Tourist Industry, for a four-year term ending June 30, 2011.

Background Information: Chapter 70, *Ordinance Code*, provides that three of the members of the Duval County Tourist Development Council shall be involved in the Tourist Industry. Ms. Bridges received an associate's degree from FCCJ and is the owner and manager of *Cruise N Time*. She has previously served on the Jacksonville Commission on Aging and the Jacksonville Waterways Commission. Ms. Bridges resides in the Isle of Palms area within Council District #3.

Policy Impact Area: Duval County Tourist Development Council operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Ordinance 2007-694

Sponsor: Council Member Hyde

Date of Introduction: June 12, 2007

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

Date of Analysis: June 14, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$250,000 from the Special Council Contingency – Wireless Internet Zone account to the Duval County Health Department to offset a portion of the \$1 million budget reduction made during the City budget adoption process last September.

Background Information: At the time the FY06-07 budget was prepared, the Finance Committee recommended and the Council approved a reduction of the Health Department's proposed budget by \$1 million, with the understanding that the funding might be restored if the City's mid-year budget review indicated that sufficient surplus funds were available. The Health Department was also instructed to study and propose service fee increases to cover a portion of the shortfall. The mid-year budget review presentation to the Finance Committee last week projects a possible year-end surplus of \$4.2 million, based on current spending rates. This bill appropriates \$250,000 from the Wireless Internet Zone pilot program to the Health Department to fund restoration of a portion of the \$1 million reduction. Health Department Director Dr. Robert Harmon indicated that his department is working on a fee increase proposal, but has been advised by the City administration that the increases should be taken up as part of a wider fee adjustment bill affecting fees throughout the City government.

Policy Impact Area: Health Department operations

Fiscal Impact: The bill appropriates \$250,000 from the WIZ pilot program to the Health Department

Analyst: Clements

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Bill Type and Number: Ordinance 2007 – 695

Sponsor: Transportation, Energy, Utilities & Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 15, 2007

Type of Action: Approving a fair share assessment application and contract.

Bill Summary: This bill approves a Fair Share Assessment application and contract between the City of Jacksonville and Cedar Crossing Enterprises Corporation for the Alta Gateway shopping center project.

Background Information: The Alt Gateway project proposes to build an enclosed shopping center with a maximum area of 70,000 square feet situated on 6.94± acres of land located on Alta Drive between State Road 9A and Terrapin Creek Lane. The proposed site is in District 11. The Fair Share Assessment amount of \$1,469,541 is over the term of 10 years with an interest rate of 3.3% per year.

NOTE: The fair share agreement with traffic analysis and p.m. peak hour trip estimation and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic Development/Street and Roads

Fiscal Impact: The account will see a Fair Share Assessment of \$1,469,541 to the Sector 6.1 fund.

Analyst: Blazs

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Bill Type and Number: Ordinance 2007 – 696

Sponsor: Transportation, Energy, Utilities & Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 15, 2007

Type of Action: Approving a fair share assessment application and contract.

Bill Summary: This bill approves a Fair Share Assessment contract between the City of Jacksonville and Coastal Resources Corporation for the Greenland Road Commercial Park mixed use project.

Background Information: The “Greenland Road Commercial Park” project proposes to build a mixed use commercial space of 83,000 square feet of warehouse space and 9,200 square feet of enclosed general office space on 17.2± acres of land which is situated just off the south side of Greenland Road between Greenland Chase Boulevard and Greenada Drive. The council district for the site is District 5. The Fair Share Assessment amounts to the sum of \$347, 842 with an overall term of six years and an interest rate of 3.3%.

NOTE: The fair share agreement with traffic analysis indicating the p.m. peak hour trips and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic Development/Street and Roads

Fiscal Impact: The account will see a Fair Share Assessment of \$347, 842 to the 3.1 Sector fund.

Analyst: Blazs

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Bill Type and Number: Ordinance 2007 – 697

Sponsor: Transportation, Energy, Utilities & Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 15, 2007

Type of Action: Approving a fair share assessment application and contract.

Bill Summary: This bill approves a Fair Share Assessment contract between the City of Jacksonville and Greenland Commerce LLC, for the Pond View Offices project to construct general office space.

Background Information: The project looks to build a 9,900 square foot enclosed general office space area to be named "Pond View Offices". The space will be built on approximately .76± acres of land in Council District 11 off of the east side of Yellow Bluff Road between New Berlin Road and Burkit Lane. The Fair Share Assessment to the Sector 6.1 account in the amount of \$117, 872 for a term of five years with an interest rate of 3.3%.

NOTE: The fair share agreement with traffic analysis indicating the p.m. peak hour trips and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic Development/Street and Roads

Fiscal Impact: The account will see a Fair Share Assessment of \$117, 872 to the 6.1 Sector fund.

Analyst: Blazs

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Bill Type and Number: Ordinance 2007 – 698

Sponsor: Transportation, Energy, Utilities & Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 15, 2007

Type of Action: Approving a fair share assessment application and contract.

Bill Summary: This bill approves a Fair Share Assessment application and contract between the city of Jacksonville and Sembler Florida, Inc., for the Southside Baymeadows Bank project.

Background Information: The project proposes to build an 8,000 square foot drive-up enclosed bank to be known as “Southside Baymeadows Bank”. The bank will be situated on 4.68± acres of land in the southeast quadrant of Baymeadows Road and Southside Boulevard in Council District 13. The Fair Share Assessment amount is of the sum of \$1,724,694 with a term of five years and an interest rate of 3.3% per year.

NOTE: The fair share agreement with traffic analysis listing p.m. peak hour trips and road link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic Development/Street and Roads

Fiscal Impact: The Fair Share Assessment is \$1,724,694 to the Sector 3.1 account.

Analyst: Blazs

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Bill Type and Number: Ordinance 2007-699

Sponsor: Transportation, Energy, Utilities and Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 14, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Admoun Safar for the "Halsema Village Commercial/Retail" Project.

Background Information: The "Halsema Village Commercial/Retail" project consists of 10,500 Sq Ft for a Shopping Center on 1.04± Acres at 12205 Beaver St W. in Council District 11. The fair share assessment is \$213,149 with a 1-year term and assessment to fund sector 4.1. The inflation rate is 3.3%.

NOTE: The fair share agreement with traffic analysis indicating the p.m. peak hour trips and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic development/streets and roads

Fiscal Impact: The fair share assessment is \$213,149 to the Sector 4.1 account.

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-701

Sponsor: Transportation, Energy, Utilities and Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 14, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Johnny L. Dudley, LLC, for "New Berlin Commercial Corner" commercial project.

Background Information: The project New Berlin Commercial Corner consists of 6,000 Sq Ft of Shopping Center use & 3,200 Sq Ft of Convenience Market use on 2.13± Acres at the intersection of New Berlin & Cedar Point Roads in Council District 11. The fair share assessment is \$569,659 with a 5-year term. The fair share assessment will be deposited in fund sector 4.2. The inflation rate is 3.3%.

NOTE: The fair share agreement with traffic analysis indicating the p.m. peak hour trips and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic development/streets and roads

Fiscal Impact: The fair share assessment is \$569,659 to the Sector 4.2 account.

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-702

Sponsor: Transportation, Energy, Utilities and Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 14, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Blanding Blvd Partners II, LLC, for the "Blanding Townhomes" apartment project.

Background Information: The Blanding Townhomes project consists of 75 apartment units on 30.97± Acres on Blanding Blvd between 118th Street and Anderson Road in Council District 12. The fair share assessment is \$271,307 with a 5-year term. The fair share agreement will be deposited in fund sector 4.2. The inflation rate is 3.3%.

NOTE: The fair share agreement with traffic analysis indicating the p.m. peak hour trips and roadway link deficiencies was not on file at the time this summary was prepared.

Policy Impact Area: Economic development/streets and roads

Fiscal Impact: The fair share assessment is \$271,307 to the Sector 4.2 account.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-703

Sponsor: Transportation, Energy, Utilities and Safety Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 14, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Deep Blue Development, LLC, for "Hidden Creek PUD" commercial project.

Background Information: The Hidden Creek PUD project consists of 105,000 Enclosed Sq Ft of shopping center on 12.22± acres in the northwest quadrant of Starratt & Yellow Bluff Roads in Council District 11. The fair share assessment is \$1,183,341 with a 10-year term. The fair share assessment will be deposited in fund sector 6.1. The inflation rate is 3.3%.

Policy Impact Area: Economic development/streets and roads

Fiscal Impact: The fair share assessment is \$1,183,341 to the Sector 6.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-704

Sponsor: Council Member Graham

Date of Introduction: June 12, 2007

Committee(s) of Reference: LUZ

Date of Analysis: June 14, 2007

Type of Action: Ordinance Code Amendment

Bill Summary: This bill revises the Zoning Code to establish new regulations for commercial uses. Definitions are added for “commercial retail sales and service establishments” and “neighborhood retail sales and service,” specifying the types of uses meant by these terms. Provision is made for repealed portions of the Ordinance Code to be placed on file in the Legislative Services Division, and Legislative Services is directed to forward a copy of the enacted ordinance to the Municipal Code Corporation for codification. Authorization is given to the Municipal Code Corporation to make modifications and corrections to numbering and lettering to ensure internal consistency and effective organization.

Background Information: This legislation represents a portion of the ongoing efforts to rewrite the Zoning Code, and additional ordinances concerning other zoning and land use related topics are anticipated.

Policy Impact Area: Planning and Development; Zoning Code

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-705

Sponsor: Land Use and Zoning Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: LUZ

Date of Analysis: June 14, 2007

Type of Action: Correction of scrivener/technical errors in several prior rezoning ordinances.

Bill Summary: Land use and zoning related scrivener/technical errors were found in Ordinances 2002-1166-E, 2005-355-E, 2006-1273-E, 2007-86-E, 2007-131-E. Corrections made are retroactive making sure they do not adversely affect due process rights of any affected party; either procedural or substantive. The bill provides direction to the Zoning Administrator and the Legislative Services Division regarding file and zoning map revisions as necessitated by these adopted corrections.

Background Information: Copy mistakes and technical errors were discovered in ordinances pertaining to land use and zoning. Corrections made to those ordinances are intended to be accepted as if they were contained in the original ordinances. The council finds no adverse effects of these changes on any persons.

Policy Impact Area: Correction of scrivener's errors

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2007-706

Sponsor: Council Member Jenkins

Date of Introduction: June 12, 2007

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

Date of Analysis: June 14, 2007

Type of Action: CIP amendment; request for emergency action

Bill Summary: The bill amends the 2006-11 Capital Improvement Program to increase the project amount for the St. Nicholas Town Center – Restrooms project from \$50,000 to \$124,900. The introducer requests emergency action so that the project funding can be approved before the end of June, after which the contractor will no longer guarantee the price of the concrete needed for the work.

Background Information: The St. Nicholas Town Center project initially included \$50,000 in CDBG funds for the construction of restrooms. The cost of construction has increased and the district council member has allocated an additional \$74,900 in district bond funds to complete the project. The CIP now needs to be amended to reflect the correct total project amount.

Policy Impact Area: Town center revitalization

Fiscal Impact: None – the CIP amendment reflects the value of already-appropriated funds

Analyst: Clements

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Bill Type and Number: Resolution 2007-712

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: LUZ, R

Date of Analysis: June 11, 2007

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Brenda B. Ezell as a member of the Jacksonville Historic Preservation Commission, replacing Susan Grandin, for a first full term ending March 4, 2010.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council. Ms. Ezell received a law degree from the University of Florida and practices in the areas of real estate and land use law with *Edwards, Cohen, Dawson, Sanders and Mangu*. She was an Assistant General Counsel with the City of Jacksonville from January 2004 to April 2007. Ms. Ezell also currently serves on the Blue Ribbon Commission on Cemeteries. She resides in the Mandarin area within Council District #6.

Policy Impact Area: Jacksonville Historic Preservation Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-713

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: LUZ, R

Date of Analysis: June 11, 2007

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Mitchel Weiss as a member of the Jacksonville Historic Preservation Commission, for a second full term ending March 4, 2010.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council. Mr. Weiss received a master's degree in environmental engineering from the University of Florida and a law degree from the Florida Coastal School of Law. He is an Assistant Counsel with the U.S. Navy, Naval Air Depot. Mr. Weiss resides in the San Marco area within Council District #5.

Policy Impact Area: Jacksonville Historical Preservation Commission operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Resolution 2007-714

Sponsor: Council President Corrigan

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 8, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Penelope "Penny" Steeple Thompson to the Jacksonville Waterways Commission, replacing Carter Bryan as a member of the General Public, for a first full term ending March 10, 2010.

Background Information: Section 95.103(c), *Ordinance Code*, provides that nine of the members of the Jacksonville Waterways Commission shall be members of the General Public appointed by the Council. Ms. Thompson received a bachelor's degree in political science and is the Vice President of Public Affairs with *Shands Jacksonville*. She has previously served on the International Relations & Marketing Development Commission, the Jacksonville International Development Commission and the Downtown Development Authority. Ms. Thompson resides in the Avondale area within Council District #14.

Policy Impact Area: Jacksonville Waterways Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-715

Sponsor: Council President Corrigan

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 8, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Fred Pozin to the Duval County Tourist Development Council, replacing David Potts as a representative of the Tourist Accommodation Industry, for a first four-year term beginning July 1, 2007 and ending June 30, 2011.

Background Information: Chapter 70, *Ordinance Code*, provides that three of the members of the Duval County Tourist Development Council shall be owners or operators of tourist accommodation facilities. Mr. Pozin received a degree in hotel and restaurant management from Florida State University and is the Vice President and General Manager of the *Ramada Inn Mandarin Conference Center*. He resides in the Mandarin area within Council District #6.

Policy Impact Area: Duval County Tourist Development Council operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-716

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 11, 2007

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Joseph Louis Barrow, Jr. as a member of the Jacksonville Economic Development Commission (JEDC), for a third full two-year term ending June 30, 2009.

Background Information: Article 24 of the *Charter* provides that six of the members of the JEDC shall be residents appointed by the Mayor and confirmed by Council. Mr. Barrow received a bachelor's degree in political science from the University of Denver and is the Executive Director of The First Tee Division of the World Golf Foundation. He resides in the Riverside area within Council District #14.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Resolution 2007-717

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 11, 2007

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of E. "Zim" Zimmerman Boulos as a member of the Jacksonville Economic Development Commission (JEDC), for a second full two-year term ending June 30, 2009.

Background Information: Article 24 of the *Charter* provides that six of the members of the JEDC shall be residents appointed by the Mayor and confirmed by Council. Mr. Zimmermann received a bachelor's degree in marketing from Jacksonville University and is President of *Office Environments and Services, Inc.* He resides in the San Marco area within Council District #5.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Ordinance 2007-718

Sponsor: Council Member Hyde

Date of Introduction: June 12, 2007

Committee(s) of Reference: R, F

Date of Analysis: June 14, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$25,000 from the Council Operating Contingency fund to the FCCJ Foundation as a contribution to the Prosperity Scholarship Fund.

Background Information: The Prosperity Scholarship Fund was created in 2005 as a means of allowing the Jacksonville community to contribute, through a voluntary contribution on their JEA bill, to a scholarship fund to assist qualified students with the cost of attending Jacksonville's institutions of higher education. The scholarship fund is housed in and administered by the FCCJ Foundation. This bill appropriates funds for scholarships and for marketing of the scholarship program to potential users.

Policy Impact Area: Higher education promotion

Fiscal Impact: The bill appropriates \$25,000 from the Council Operating Contingency fund to the Prosperity Scholarship Fund.

Analyst: Clements

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Bill Type and Number: Resolution 2007-719

Sponsor: Council Member Yates:

Date of Introduction: June 12, 2007

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

Date of Analysis: June 15, 2007

Type of Action: Application Support

Bill Summary: The resolution expresses the City's support for the application by Grace & Truth Community Development Corporation (CDC) to participate in the Florida Community Contribution Tax Credit Program for purposes of revitalizing and strengthening the North Brookside/Norwood Area by providing low to moderate income families with homeownership assistance.

Background Information: The mission of Grace and Truth CDC, a not-for-profit (501©(3) corporation, located at 933 Ardmore Street, Jacksonville 32208, is to revitalize and strengthen the North Brookside/Norwood Avenue community by providing low and moderate income families and individuals in become creditworthy and able to qualify for home ownership. Participation in the Florida Community Contribution Tax Credit Program will provide assistance to Grace & Truth with the cost in the construction and equipping of new homes. The Planning & Development Department has determined that the project is in compliance and consistent with the City's Comprehensive Plan. The project site is in Council District 8.

Policy Impact: Affordable Housing

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-726

Sponsor: Council President at the request of the Mayor and Council Member M. Jones

Date of Introduction: June 12, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 14, 2007

Type of Action: Declaration of slum and blighted area; assignment of community redevelopment agency

Bill Summary: The bill defines a "New Kings Road Corridor Redevelopment Area" and declares the area to be an area of "slum and blight" as defined in Chapter 163, *Florida Statutes*, for purposes of rehabilitation, conservation and redevelopment. The bill declares that the first priority for redevelopment is to be the promotion of retail development, and assigns the Jacksonville Economic Development Commission as the official community redevelopment agency for the corridor.

Background Information: The bill's preamble states that this area designation and redevelopment effort is an extension of existing Neighborhood Action Plan redevelopment activities for the Lem Turner/Ribault Scenic Drive and Sherwood Forest/Lincoln Villas areas, and results in part from a Social Compact Study done with the Jacksonville Regional Chamber of Commerce that demonstrated a need for nationally-recognized commercial retail services and enhanced opportunities for employment. The designated corridor covers properties fronting New Kings Road from Trout River Boulevard on the north to Soutel Drive on the south, properties fronting Soutel Drive from New Kings Road on the east to Old Kings Road on the west, and properties fronting Pritchard Road from Old Kings road on the east to Imeson Road on the west.

Policy Impact Area: New Kings Road Corridor redevelopment

Fiscal Impact: Undetermined

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-727

Sponsor: Council Member Fussell

Date of Introduction: June 12, 2007

Committee(s) of Reference: LUZ

Date of Analysis: June 14, 2007

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 656 – Zoning Code – to delete superfluous language regarding recording of Airport Noise Zone Acknowledgements on the plats of lots created in airport noise zones. The bill also deletes the requirement that all rezonings in airport noise zones A and B be required to be proposed as PUDs unless the Planning Department determines that the proposed rezoning does not affect current or future airport operations and deletes language relating to the airport zoning committee. Finally, the bill removes an outdated return addresses of the Planning and Development Department found on Airport Acknowledgement Document. The Legislative Services Division will transmit the changes to Municipal Code Corporation for codification

Background Information: The amendments, repeals, and deletion found in this ordinance are proposed to improve the definitions found in the Zoning Code. In section 656.1010 dealing with airport notice zone acknowledgement and recording of plats of land located, either partially or fully, in noise zones A and B, language has been repealed due to its repetitive nature. The deletion of unneeded language in section 656.1011, deals with rezoning within noise zones A and B. Section 656.1013 replaces Airport Zoning Committee with the word “Reserved.” The amendment of the Airport Notice Zone Acknowledgment document is provided to include the correct return address and more appropriate language to the buyers or leasees pertaining to the noise zone.

Policy Impact Area: Zoning Code Noise Zones A and B and Airport Notice Zones

Fiscal Impact: Undetermined

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-729

Sponsor: Council Member Self at the request of JWC

Date of Introduction: June 12, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 14, 2007

Type of Action: Supporting the Regional River Transit Service Project and City of Palatka's Funding Request

Bill Summary: The bill recognizes and supports the Regional River Transit Service Project and City of Palatka's funding request to establish and initiate water taxi service on the St Johns River, and encourages the City of Palatka to work cooperatively with the JTA and the Florida Fish and Wildlife Conservation Commission on transportation and manatee protection issues.

Background Information: Since 2002 the City of Palatka has been initiating the steps necessary to establish regional scheduled river transit service on the St. Johns River, including discussion of water taxi service with JTA. This project will require state funds as well as federal funds. This project utilizes the St. Johns River as an asset to tourism and economic development in the Northeast Florida region. Palatka is moving forward with this project envisioned to benefit the communities of the St. Johns River corridor region.

Policy Impact Area: St. Johns River transportation

Fiscal Impact: Undetermined

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-732

Sponsor: Council Member Hyde and the Finance Committee

Date of Introduction: June 12, 2007

Committee(s) of Reference: F, A

Date of Analysis: June 14, 2007

Type of Action: Restriction on use of projected surplus funds

Bill Summary: The bill prohibits the appropriation or expenditure, for the remainder of the current fiscal year, of any funds not anticipated and appropriated in the FY06-07 budget. Transfers of previously-appropriated funds to other accounts are expressly permitted. The purpose of the prohibition is to prevent the expenditure of any funds projected to be realized as "surplus" by the FY06-07 mid-year budget review.

Background Information: The Director of Administration and Finance made the required mid-year budget review presentation to the Finance Committee at its last meeting, and reported a potential \$4.2 million positive balance (surplus) by year-end, based on current revenue and expenditure projections. The bill states that, given the uncertainty of the outcome of the property tax reform debate in Tallahassee and the Council's desire to demonstrate fiscal responsibility and restraint, it is in the Council's best interest to preserve any potential surplus funds for unanticipated emergencies in the remainder of this fiscal year or for allocation to the FY07-08 budget.

Policy Impact Area: Budgetary appropriations

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2007-733

Sponsor: Council Members Corrigan and Clark

Date of Introduction: June 12, 2007

Committee(s) of Reference: R

Date of Analysis: June 14, 2007

Type of Action: Ordinance Code Amendment

Bill Summary: This bill creates a new Chapter 15, Ordinance Code, establishing the Jacksonville Sunshine Law Compliance Act. The Act is made applicable to the City Council and public meetings contemplated by the Sunshine Law, including meetings of the Council and Council committees, and meetings between and among Council members ("Council Public Meetings"). It is required that Council Public Meetings be publicly noticed in a timely manner, with notices to be provided on the Council's internet website and at appropriate locations in City Hall. Such notices are to be posted at least 24 hours prior to the meeting, except in the event of an emergency. Meetings are to be conducted in places open and conveniently accessible to the public, including the Council Chambers and public conference, meeting, or committee rooms. It is required that public meetings not be held in the individual offices of Council members, except in the event of exigent circumstances, and public locations are to be used for all Council Public Meetings unless other locations are approved, in writing, by the City Ethics Officer. Business and conversations conducted during a noticed meeting are to commence upon the Chair or Council member opening such meeting and conclude upon adjournment. The fact that a meeting has been noticed does not authorize action or discussions prior to the opening or following adjournment. The Legislative Services Division is made responsible for developing and implementing procedures to assure that minutes are written for all noticed meetings, that minutes are filed, and that a system for maintenance and retrieval is developed. The Legislative Services Division and the Council member posting notice of a meeting are made responsible for ensuring the minutes are prepared as required by Florida Statutes and the Ordinance Code. The minutes of every Council Public Meeting conducted between 2 or more Council members outside of the regular Council meeting or committee structure shall, at a minimum, reflect the location, date, and time of commencement and adjournment, the members of Council and other public officials and employees in attendance, and the substance of the discussions and positions presented. A copy of the minutes of all noticed meetings is to be kept, with the notice of such meetings, by the Legislative Services Division, and said Division is to develop systems and policies necessary for the orderly filing, maintaining, and retrieval of minutes. It is required that the Legislative Services Division review notices of all Council Public Meetings to ensure that copies of the minutes have been placed on file. The Council Auditor is required to conduct an annual audit on the notices of Council Public Meetings, the location of such meetings, and the written minutes, and file an audit report with the Council committee to which audit matters are referred, the Council President, and the City Ethics Officer. The audit report is to include certification that notices were public and timely, and accessible to the public by internet; certification that meetings were located in appropriate public rooms, and a list of all meetings held in Council members' offices; certification that minutes were written, maintained in the filing system, and available for retrieval; certification that all Council members have received the annual continuing education and training on the Sunshine Law; and, recommendations to improve compliance. The audit is to commence annually on May 1 (60 days prior to installation of a new Council President) and it is to be provided no later than June 1. It is required that Council members receive annual training on Government in the Sunshine and open meetings laws, with the City's Ethics

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Officer and the Office of General Counsel, with the assistance of the Jacksonville Ethics Commission and other supporting agencies, to provide such training. Training is to take place within 60 days of the Council President taking office, and the Council President is required to assure such continuing education. Training is also to be provided upon special request, with such presentations given at committee or Council meetings, or at other times as may be directed by the Council President. As part of the annual audit, the Council Auditor's Office shall make recommendations to the City Council to improve open meetings compliance. In support of these recommendations, the Council Auditor's Office may solicit suggestions from Council members, the Legislative Services Division, the City Ethics Officer, the Office of General Counsel, or others.

Background Information: The stated purpose of this Act is to ensure compliance with the Florida Sunshine Law and to create procedures, methods, best practices, and education that will enhance compliance with open meeting laws. It is designed to enhance and maintain public confidence and transparency in the legislative practices of the Council.

Policy Impact Area: Sunshine Law Compliance

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-734

Sponsor: Council Member M. Jones:

Date of Introduction: June 12, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 15, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$18,000 (\$10,469 from Facilities Mitigation – Class III, Resource Recovery (Stericycle), \$5,319.00 Wiley Road Park and \$2,211.17 from Home Gardens Park – 1999A ETR Bond) to purchase the construction of a well and submersible pump & motor for Mary Lena Gibbs Community Center. The bill designates the Parks & Recreation Department to oversee the project. The funds will carryover to Fiscal Year 2007-2008.

Background Information: This bill appropriates funds to purchase and install a submersible pump and motor and connect both at Barco Field located at Mary Lena Gibbs Community Center, 6974 Wilson Boulevard, in Council District 10.

Policy Impact: Parks, Recreation, Entertainment & Conservation Department

Fiscal Impact: This bill appropriates \$18,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-739

Sponsor: Council Member Alvarez:

Date of Introduction: June 12, 2007

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

Date of Analysis: June 15, 2007

Type of Action: Ordinance Amendment; Ordinance Code Waiver

Bill Summary: This ordinance amends Part 4 (Resource Recovery Program), Chapter 380 (Solid Waste Management), Section 380.403 (Program Established; Rule Making Authority), *Ordinance Code*, to waive the requirements that the funds be used within a certain radius of the landfill; the ordinance amends Section 380.405 (Host Fee; Distribution Formula; Late Charge for Delinquent Payment), *Ordinance Code*, to allow funds to be used for improvements at the Jacksonville Equestrian Center.

Background Information: Landfill mitigation programs benefit property affected by the landfills. An important factor in determining the use of mitigation funds is proximity to a landfill facility. This ordinance amends the Code to make an exception for the Jacksonville Equestrian Center. Distance requirements shall not apply to the funds allocated to the equestrian facility. The bill provides for a portion of host fees imposed on solid waste deposited being allocated to a separate fund for improvements to the Jacksonville Equestrian Center.

Policy Impact: Ordinance Code/Jacksonville Equestrian Center/Landfill Mitigation Funds

Fiscal Impact: Undetermined

Analyst: Jackson