

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2017-0409

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

Date of Introduction: June 13, 2017

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

Date of Analysis: June 8, 2017

Type of Action: Appropriation and CIP amendment

Bill Summary: The \$1,000,000 in funding is a re-appropriation of existing authorized debt proceeds from the countywide ADA Compliance – Public Buildings Project to the ADA Compliance – Community Transition Center Project. The 2017-2021 Five-Year Capital Improvement Program is amended to decrease funding for the project entitled “ADA Compliance – Public Buildings” and increase funding for the project entitled “ADA Compliance – Comm. Transition Center.”

Background Information: The purpose of the appropriation is to bring three Community Transition Center (CTC) buildings into compliance with the ADA requirements mandated in the settlement agreement between the U. S. Department of Justice and the City. Three bathrooms at each one of the three CTC buildings along with the fronting sidewalks, stairs and ramps are to be reconstructed to comply with current ADA requirements. These deficiencies were listed in the Department of Justice (DOJ) 2013 survey and are part of the DOJ settlement agreement with the City.

The ADA work includes the 3 existing bathrooms in each building, the removal, relocation and/or construction of: plumbing fixtures, piping insulation, drinking fountains, wall tile, tile, walls, gypsum board, light fixtures, partitions, concrete stairs, concrete ramps, concrete slabs, railing, doors and threshold, concrete curb, concrete sidewalk, concrete pavement, asphalt pavement, detectable warning mats, sod, trees, planters, wall mounted ashtray, downspouts, signage, electrical connections, receptacles, outer boxes, luminaires, yard drains, sprinkler heads, gas meter, signs, retaining walls, canopy, canopy columns, canopy extension, 6" pipe, chain link fence with barb wire, gates, tree protection, striping, wheel stops, plumbing work, mechanical work, electrical work and all other improvements/repairs indicated in the plans and specs. Due to the nature of the Community Transition Center, the jail will have inmates during the total time of the construction. The relocation of inmates requires that only one ramp, dorm, toilet and shower be constructed at the same time.

Policy Impact Area: ADA compliance in the Community Transition Centers

Fiscal Impact: \$1,000,000 as initiated by B.T. 17-107 from existing authorized debt proceeds; the City will not incur any additional debt as a result of this transfer

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0410

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

Date of Introduction: June 13, 2017

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

Date of Analysis: June 9, 2017

Type of Action: Appropriation, designation of oversight agency, emergency passage request

Bill Summary: The purpose of the appropriation is to increase funding for 2017 summer camps. The Jacksonville Children's Commission (JCC) shall oversee the agreements for the summer camp programs. The combined fund balances for JCC and the Jax Journey in a minimum amount of \$805,227 shall be recaptured by the General Fund/General Service District at fiscal year-end.

Background Information: This measure will keep children safe and off the streets during the summer months. The funding will provide funds for an additional 1,700 needy children across the City with five/six weeks of summer camp at 24 additional sites and bring total funding for summer camps from \$2,640,540 to \$3,598,278. The nature of the emergency is that public schools concluded for the year June 2, and the summer camp arrangements on the part of the providers and the parents are underway.

Policy Impact Area: Additional funding for summer camp for children in need

Fiscal Impact: \$957,738 (\$805,227 from General Fund/General Services District Fund Balance and \$152,511 of residual matching dollars from closed out JCC grants)

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-411

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: R, F

Date of Analysis: June 15, 2017

Type of Action: Supplement of previous ordinance provisions; authorizing acquisition of debt service reserve funds products; authorizing acquisition of bond credit facilities; Ordinance Code waiver

Bill Summary: The bill authorizes the issuance of Special Revenue Bonds to finance and refinance the acquisition and construction of certain capital equipment and improvements. The issuance will provide not in excess of \$165,000,000 of net project funds to cover the actual expenditures associated with projects that were previously authorized by the Jacksonville City Council to be funded with debt (project list attached to bill). The bill waives provisions of Ordinance Code Chapter 104 – Bonds – to allow sale of the bonds on a limited competitive, negotiated or private placement basis for reasons of flexibility and timing.

Background Information: As a result of this transaction, the City will have reimbursed itself for spending on previously-authorized projects, including projects dating back to 2008, and will have fixed-out certain short-term debt in times of historically low interest rates. This deal is split approximately evenly between refinancing of existing debt and replenishing recent project spending. The bonds will be supported by the Special Revenue Pledge, which is a basket of all City revenue sources with the exception of ad valorem revenue. While the Special Revenue pledge is identified to the bondholders as collateral, the debt service for certain projects will be paid by the budgeted source (e.g. stadium-related projects and solid waste projects have their own funding sources for debt service).

This legislation is not seeking any additional project spending authority. In addition, the projects on the list for this bond transaction are all previously authorized projects which are either complete or are underway at this time. Projects not on the list for this bond deal but previously authorized are not constrained from a financial standpoint by virtue of not being included. The Administration and City Council have determined that it makes the most financial sense to issue debt only after spending on a project commences or as close to the time spending occurs as practicable to minimize interest paid on debt. It often takes considerable time to get authorized projects through the RFP process, regulatory hurdles, design, engineering, and construction so the City does not issue the debt until such time as that occurs. The focus of this transaction is on fixing out certain short term borrowings and replenishing the funds spent on authorized projects.

Policy Impact Area: Capital project financing

Fiscal Impact: No new costs incurred; all projects have been previously authorized for borrowing.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-412

Introducer/Sponsor(s): Council Member Becton

Date of Introduction: June 13, 2017

Committee(s) of Reference: TEU, F

Date of Analysis: June 15, 2017

Type of Action: Approving mobility fee contract to memorialize credits

Bill Summary: The bill approves a mobility fee contract between the City and Old No. 1 Partner, LLC to memorialize \$2,202,677.33 in mobility fee credits generated by a road construction project to be used by the current owner (or their successor) within Mobility Zones 3 and 4 in Council District 11.

Background Information: In 2007 the City entered into a Fair Share Assessment Contract with Duval Station Signature, LLC (DSS) for payment of transportation fair share assessments to permit the development of Phase I and Phase II of Duval Station Commercial Center. In lieu of assessment payments, DSS made infrastructure and road improvements on Duval Station Road and Main Street (donation of right-of-way and construction of a realigned Duval Station Road, construction of a new traffic signal, donation of CSX Railroad easements) producing credits in the amount of \$2,820,571.33. Those credits were assigned to M&C Investments in 2015 and subsequently reassigned to Old No. 1 Partner, LLC in 2016 in the amount of \$2,202,677.33 (a portion of the original credits having been used by the previous owners for other projects). This bill authorizes execution of a mobility fee contract memorializing the existence of these credits (pursuant to the process set forth in Ordinance Code Section 655.508 – Mobility Fee Contract) to be allocated to future development projects in Mobility Zone 3 (\$1,037,696.23) and Mobility Zone 4 (\$1,164,981.10).

Policy Impact Area: Mobility fee credit use

Fiscal Impact: None – the contract memorializes existing fees already credited in the mobility fee system to the owner.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-0413

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: TEU, F

Date of Analysis: June 13, 2017

Type of Action: Declaration of surplus land and authorization of real estate conveyance

Bill Summary: This bill declares a parcel of real estate (a portion of R.E. #158247-0300) owned by the City to be surplus and authorizes the sale of real estate from the City to JEA to construct a needed sewer booster station. The parcel is located off Old St. Augustine Road in the vicinity of Julington Creek and Knotah Road in Council District 6.

Background Information: As required by Section 122.422, *Ordinance Code*, the Real Estate Division conducted an investigation of need and determined that this parcel of land is surplus to the needs of the City. The 150' x 150' parcel has an appraised value of \$27,000 and will meet the needs of JEA to build a sewer booster station.

Policy Impact Area: Sale of surplus real estate to JEA for a sewer booster station

Fiscal Impact: \$27,000 from JEA to the City, proceeds will be deposited pursuant to Section 122.429, *Ordinance Code*, for the purpose of maintaining or acquiring land for recreational, park, and conservation uses

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0414

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: TEU, F

Date of Analysis: June 13, 2017

Type of Action: Temporary construction easement authorization and the designation of oversight agency

Bill Summary: This bill authorizes the conveyance of a temporary construction easement to the Florida Department of Transportation (FDOT) in, over, and under Parcel 701. The Real Estate Division of the Department of Public Works shall oversee the project.

Background Information: The temporary construction easement (TCE) is for a period of 48 months and is needed by FDOT for the SR A1A Timucuan Trail Bike Path Project. The purpose of the TCE is the construction of a new pedestrian bridge over Haulover Creek to the southeast of the existing roadway bridge and for tying in and harmonizing the adjacent property, driveways, and walkways in Huguenot Park.

Policy Impact Area: Temporary construction easement for FDOT to construct pedestrian bridge in Huguenot Park

Fiscal Impact: \$1.00 from FDOT to the City

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0415

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: PHS, F

Date of Analysis: June 13, 2017

Type of Action: Authorization of Memorandum of Understanding, designation of oversight agency

Bill Summary: This bill authorizes the Memorandum of Understanding between the Marathon Petroleum Company and the City of Jacksonville, by and through the Fire & Rescue Department, for the use and storage of the WFHC Ranger 3 nozzle trailer. Jacksonville Fire & Rescue Department (JFRD) will provide oversight.

Background Information: Currently, Jacksonville Fire Rescue Department has the ability of providing only 2000 gallons per minute (gpm) when fighting fires. The WFHC Ranger 3 nozzle trailer has the capability of delivering 1000 to 4000 gpm of finished firefighting foam solution to a large scale hydrocarbon fires. This trailer would double JFRD's capacity and enable a more aggressive attack these types of fires. The Marathon Oil Company will be responsible for maintaining all vehicle registrations, license plates and annual DOT safety inspections of the trailer. The Jacksonville Fire Rescue Department will provide storage, cooperate with trailer maintenance and cover the costs of damaged equipment. Both parties will have access to the trailer for training or use.

Policy Impact Area: The use of a nozzle trailer for the Jacksonville Fire Rescue Department

Fiscal Impact: None

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0422

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: NCIS, F

Date of Analysis: June 9, 2017

Type of Action: Agreement authorization, designation of oversight agency and appropriation

Bill Summary: This bill authorizes the Jacksonville Veterans Memorial Arena Use Agreement between City of Jacksonville and EI Acquisition, LLC. The initial term of the Agreement is a period of four (4) years, commencing on July 1, 2017, and expiring on June 30, 2021. The parties may extend the initial term for one (1) three (3)-year renewal period upon the same terms and conditions.

This legislation is also an appropriation of \$300,000 capital contribution from the Jacksonville Icemen to reimburse the City for improvements to the Jacksonville Veterans Memorial Arena. The Office of Sports and Entertainment shall oversee the project.

Background Information: The purpose of the appropriation is to provide reimbursement from the Jacksonville IceMen to the City for improvements it made to the Jacksonville Veterans Memorial Arena. The IceMen are a member of the ECHL professional hockey league and will play their home games at the Jacksonville Veterans Memorial Arena. The lease agreement provides that the \$300,000 capital improvement contribution will be used by SMG to modify the existing dasher boards to accept Plexiglas rather than tempered glass panels, purchase and installation of new Plexiglas, purchase and installation of new ice deck system, and upgrades and/or repairs to the building HVAC system to provide optimum building conditions for maintaining the ice sheet.

Policy Impact Area: Capital improvements to the Jacksonville Veterans Memorial Arena

Fiscal Impact: \$300,000 as initiated by BT 17-112

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-424

Introducer/Sponsor(s): Council Member Morgan

Date of Introduction: June 13, 2017

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

Date of Analysis: June 15, 2017

Type of Action: Ordinance Code amendment; request for emergency 1-cycle passage

Bill Summary: The bill amends Ordinance Code Chapter 118 – City Grants – to revise the current prohibition against organizations making recommendations on the establishment of Priority Populations or Priority Needs and then applying for Public Service Grants in the same fiscal year for which the recommendations were given. It establishes new regulations regarding prohibition of certain communications during the PSG application scoring period. The new language would permit organizations to communicate with the Grants Administrator regarding matters of process or procedure; would permit organizations to communicate with the PSG Council during a publicly noticed meeting; and would permit communications necessary and solely related to an organization’s ordinary course of business concerning that organization’s existing PSG grant contract. The bill is requested for emergency one-cycle approval.

Background Information: The bill’s sponsor is the City Council’s liaison to the Public Service Grant Council and in that capacity she became aware that not-for-profit agencies that apply for and receive Public Service Grants were present but conspicuously silent in the meetings at which the PSG Council discussed setting the annual Priority Populations for funding in the next fiscal year. Their silence is attributable to the language in Code Sec. 118.804(a) providing that “Organizations who provide recommendations regarding the Priority Populations or Priority Needs shall not be eligible to apply for Public Service Grants appropriated in the fiscal year in which the recommendations are given.” The revisions in this bill would permit potential applicant agencies to offer their expertise and suggestions in noticed public meetings of the PSG Council to assist in evaluating Priority Population needs without jeopardizing their ability to subsequently apply for grants in the next fiscal year. It would also permit routine communication not related to the scoring and ranking of each year’s grant applications to take place during the application scoring period.

Policy Impact Area: Public Service Grant priority population establishment

Fiscal Impact: none

Analyst: Clements

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Bill Type and Number: Ordinance 2017-425

Introducer/Sponsor(s): Council Member Dennis

Date of Introduction: June 13, 2017

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

Date of Analysis: June 13, 2017

Type of Action: Authorize execution of a restated agreement

Bill Summary: This bill authorizes the Mayor and Corporation Secretary to execute a Restated Agreement between REDUS Florida Land, LLC and the City of Jacksonville to extend the time allotted for REDUS to complete improvements and for reimbursement by the City of 50% of the cost of construction of traffic signals and deceleration lane; and authorizes the Chief, Real Estate Division to accept a grant of easement for two mast arm poles for the signal lights.

Background Information: The original agreement between REDUS and the City is dated April 13, 2016. In order to finish the project, both parties had to obtain third party easements. Unfortunately, this creates a delay in completion and adds unexpected costs. The improvements will take place at the intersection of Collins Road and Plantation Bay Drive consisting of a traffic signal, a westbound deceleration lane on Collins Road at Plantation Bay, and repairs to the landscaping and hardscape at the Westland Park Apartments at the location of the mast arm pole. The easement is non-exclusive on, along, over, across or under certain portion of the property located at 6710 Collins Road, Real Estate Tax Parcel Identification Number 016493-0000.

Policy Impact Area: Intersection improvements, easements, traffic signals

Fiscal Impact: Reimbursement of 50% of costs overruns above \$525,000 for cost of construction of traffic signal and deceleration lane

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-0426

Introducer/Sponsor(s): Introduced by Councilman Bill Gulliford

Date of Introduction: June 13, 2017

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

Date of Analysis: June 8, 2017

Type of Action: Appropriation, agreement authorization, designation of oversight agency and direct service contract exception

Bill Summary: This bill is an appropriation of \$1,467,289 from the General Fund/General Service District fund balance to provide funding for a six month pilot program with River Region Human Services, Inc. to fight the growing opioid epidemic within Duval County. This legislation also authorizes the agreement and all other contracts and documents necessary in accordance with the scope of work. The Jacksonville Fire and Rescue Department shall oversee the administration of the agreements. The program services and management associated with this procurement are exempted from competitive solicitation. One cycle emergency passage of this legislation is requested.

Background Information: The purpose of the appropriation is to provide funding for a six month opioid epidemic pilot program within Duval County to provide specialized services by River Region Human Services, Inc., aimed to reduce addiction and dependence on opioid drugs through targeted treatment programs. The nature of the emergency is that local statistics show that rescue crews in Jacksonville currently respond to opioid overdoses every two hours on average and the deadly spread of addiction to opioid drugs among Jacksonville residents requires a targeted treatment program to immediately counteract the epidemic. Jacksonville Fire and Rescue Department will coordinate efforts with the Duval County Health Department to ensure that participants are identified for the pilot program.

Policy Impact Area: Pilot program to combat the opioid epidemic in Duval County

Fiscal Impact: \$1,467,289 as initiated by BT 2017-18

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-427

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: NCIS, F

Date of Analysis: June 13, 2017

Type of Action: Appropriation

Bill Summary: This bill appropriates \$2,370,759.00 in regards to a continuation grant to provide for activities that buy, build, and/or rehabilitate affordable housing for low-income individuals and families, as initiated by B.T. 18-001; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State of Federal program grant; and approves positions, as initiated by R. C. 18-001.

Background Information: The HOME Investment Partnership Program (HOME) provides formal grants to states and localities that partner with local nonprofit groups, to fund a mixed range of activities including building, buying, rehabilitating affordable housing for rent or homeownership, or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. The City must match every dollar of the grant except for administrative costs with 25 cents from nonfederal sources. Recipients can use funds for various housing activities including rehabilitation, new construction, and direct assistance to tenants and homebuyers. The appropriation reauthorizes the three (3) positions and administration of the HOME program for the new grant year.

The appropriation is a combination of \$2,187,759.00 in HOME Investment Partnerships grant and \$183,000.00 in Program Income.

Policy Impact Area: Neighborhoods Department/Housing & Community Development Division; Affordable housing

Fiscal Impact: The appropriation of \$2,370,759.00 as initiated by B.T. 18-001.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-0428

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

Date of Introduction: June 13, 2017

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

Date of Analysis: June 13, 2017

Type of Action: Appropriation of grant funds and reauthorization of grant funded position

Bill Summary: This bill is an appropriation of grant funds for the Housing Opportunities for Persons with AIDS (HOPWA) program. The HOPWA program was established to provide housing assistance and related supportive services for low-income persons living with HIV/AIDS and their families. Housing Opportunities for Persons with AIDS grants are provided via formula allocation to grantees by the U.S. Housing and Urban Development and administered by the City's Housing and Community Development Division. The funds appropriated shall not lapse but shall carryover as appropriated from year to year until such funds are expended or lapse according to the originating state or federal program grant. A grant funded program manager position will be reauthorized.

Background Information: The purpose of the appropriation is to provide low-income persons living with HIV/AIDS and their families with a wide range of housing, social services, program planning, and development costs, including: the acquisition, rehabilitation, or new construction of housing units; costs for facility operations; rental assistance; and, short term payments to prevent homelessness. An essential component in providing housing assistance for this targeted special needs population is the coordination and delivery of support services. Consequently, HOPWA funds also may be used for services, including: assessment and case management; substance abuse treatment; mental health treatment; nutritional services; job training and placement assistance; and, assistance with daily living. The following service providers will receive funds through the HOPWA grant: Housing and Community Development Division, Catholic Charities, Gateway Community Services, Lutheran Social Services, NE Florida AIDS Network, and River Region Human Services.

Policy Impact Area: Appropriation of grant funds for Housing Opportunities for Persons with AIDS (HOPWA) program

Fiscal Impact: \$2,660,472.92 as initiated by B.T. 18-002
(\$2,619,116 annual Housing Opportunities for Persons with AIDS grant from the U.S. Department of Housing and Urban Development and a reallocation of \$41,356.92 in unexpended prior year funds)

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0429

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: NCIS, F

Date of Analysis: June 9, 2017

Type of Action: Authorization for continued participation in the Community Block Development Grant and designation of oversight agency

Bill Summary: This bill provides for continued participation in the Community Block Development Grant. The United States Department of Housing and Urban Development awards to local governments Community Block Development Grant (CDBG) Program funds. The funds appropriated hereby shall not lapse but shall carryover as appropriated from year to year until such funds are expended or lapse according to the originating state or federal program grant.

The Jacksonville Housing and Community Development Commission will provide oversight and make recommendations on all agreements for community development and affordable housing and related programs entered into for and on behalf of the City. The Jacksonville Housing and Community Development Commission has engaged in its 2017-2018 Universal Cycle application process and awarded contract(s) to housing providers and for community development pending receipt and appropriation of the 2017-2018 CDBG funds.

Background Information: The purpose of CDBG is to provide activities that develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low and moderate income persons. The CDBG program is a flexible program that provides communities with funding to address a wide range of community development needs. The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. As the federal budget is not yet approved, all decisions were based on level funding. If the United States Department of Housing and Urban Development approves a different allocation of funds than is appropriated by this ordinance, then the Mayor shall submit a supplementary budget to City Council for approval in accordance with the actual allocation received.

Policy Impact Area: Community Block Development Grant

Fiscal Impact: \$5,619,483.55 as initiated by B.T. 18-003
(\$5,506,732.00 IN CDBG program funding, \$75,273.67 in program income, and \$37,477.88 in reprogrammed funds)

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-0430

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

Date of Introduction: June 13, 2017

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

Date of Analysis: June 13, 2017

Type of Action: Appropriation of grant funds and authorization of fund carryover

Bill Summary: This bill is an appropriation of funds for homelessness services from the annual Emergency Solutions Grant (ESG) from the U.S. Department of Housing and Urban Development. The funds appropriated shall carryover from year to year until such funds are expended or lapse according to the originating state or federal program grant.

Background Information: The purpose of the appropriation is to provide funding to: engage homeless individuals and families living on the street; improve the number and quality of emergency shelters for homeless individuals and families; help operate the shelters; provide essential services to shelter residents; rapidly re-house homeless individuals and families; and prevent individuals and families from becoming homeless. Emergency Solutions Grant (ESG) funds are provided via formula allocation to grantees by the U.S. Department of Housing and Urban Development (HUD). The City is required to match ESG funds with an equal amount of cash and/or noncash contributions, which may include donated buildings, materials and volunteer services. The City accomplishes this match requirement through programs and funding provided by the Social Services Division of the Parks and Recreation Department. The Housing and Community Development Division will be responsible for program administration and following service providers will be sub-recipients for the grant award: Ability Housing, Catholic Charities, Changing Homelessness, I.M. Sulzbacher for the Homeless, and the Salvation Army.

Policy Impact Area: Emergency Solutions Grant funding for homelessness services

Fiscal Impact: \$534,195.61 as initiated by BT 18-004
(\$501,739 from the U.S. Department of Housing and Urban Development and a reallocation of \$32,456.61 in unexpended prior year funds)

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-431

Introducer/Sponsor(s): Council Members Gulliford, Brosche, Crescimbeni, Love, Becton, Schellenberg & Wilson

Date of Introduction: June 13, 2017

Committee(s) of Reference: NCIS, PHS, TEU

Date of Analysis: June 15, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 380 – Solid Waste Management – to modify the requirements for certificates of public convenience and necessity (CONs) for transporting and disposing of various types of solid waste in the city. It revises application and renewal requirements and processes and revises definitions of numerous terms. It provides for administrative modification of specific conditions under certain circumstances.

Background Information: The amendments derive from the work of the Special Committee on Solid Waste that met for over a year and discussed, among many other topics, ways to make the CON process more effective for the City and less expensive and more user-friendly for the CON holders. In particular, the committee intended to simplify and reduce the expense of the renewal process for CON holders that were not making any substantive changes in their operations and that had a good record of compliance with the terms of their existing CON.

The bill establishes new definitions for “Class 1 waste”, “Class III waste”, “clean wood”, “disposal”, “formal written payable citation”, “land clearing debris”, “leachate”, “putrescible waste”, “recovered screen material”, “transfer station” and “unauthorized waste”. It exempts the use of “clean debris” being used as fill or raw material from the CON requirements, and exempts storage and processing of waste tires from this chapter, but notes that they are still subject to the requirements of Chapter 260 specific to tire handling. The initial CON application process is amended to require that proof of current business registration and a certificate of use for the proposed facility be submitted with the application. The Chief of the Solid Waste Division, Chief of the Environmental Quality Division and Duval Health Department are added to the new application review process in addition to the current Director of Public Works and Director of Planning and Development.

The bill creates a mechanism for administrative modification of specific CON conditions without further Council approval for areas including signage requirements, facility personnel training requirements, waste control and unacceptable waste handling procedures, storage time of waste/processed materials on-site; hours of operation, and litter control requirements.

The CON renewal process is amended to provide for administrative approval of renewals by the Director of Public Works if a CON holder is not proposing to change any existing specific conditions and if the applicant has not received more than 2 formal payable written citations for violations during their previous certificate term. The application fee for a renewal is set at \$900 and applicants are required to have corrected any and all violations of the chapter and must have paid any and all taxes, fees and liens due to the City prior to application approval. Applicants will not be required to resubmit information that has not changed since the issuance of the previous

CON, but shall affirm in writing that conditions have not changed. Applicants with more than 2 formal payable citations or desiring to change operating conditions from their current CON must use the more formal renewal process requiring City Council approval.

Policy Impact Area: Solid waste CON requirements and processes

Fiscal Impact: None to City; the new streamlined renewal process will save CON holders the cost of hiring consultants to reproduce all of the new application data for the renewal application if their operations and operating conditions remain unchanged since the original filing.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-432

Introducer/Sponsor(s): Council Member R. Brown

Date of Introduction: June 13, 2017

Committee(s) of Reference: NCIS

Date of Analysis: June 13, 2017

Type of Action: Amend Chapter 518, *Ordinance Code*

Bill Summary: This bill amends Part 2 (Improved or Unimproved Lots and Exterior Conditions of Residential and Commercial Properties), Chapter 518 (Property Safety and Maintenance Code), *Ordinance Code*.

Background Information: There have been several abandoned mobile homes and modular structures attributing to blight within District 10. Municipal Code Compliance Division responded to the reports, and the majority of the structures did not have a valid permit and/or any utility service. The amendment designates illegal mobile homes and modular structures on private property as public nuisances. The language clarifies that any mobile home or modular building on private property without or in violation of a permit for installation from the City's Building Department, and does not have water, sewer or electric utility service is declared to be a public nuisance. Additionally, language was added to prohibit the storage of a nuisance mobile home or modular building on any property within the city longer than 15 days.

Policy Impact Area: Municipal Code Compliance

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-433

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

Date of Introduction: June 13, 2017

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

Date of Analysis: June 15, 2017

Type of Action: Receipt of easement; designation of oversight agency; request for 1-cycle emergency approval

Bill Summary: The bill authorizes execution of an easement between the City and Southbank Apartment Ventures, LLC (“Ventures”) for the construction and public use of an extension of the Southbank Riverwalk on private property between the Acosta Bridge and the Aetna Building. The Department of Parks, Recreation and Entertainment is designated as the City’s oversight agency for the project. One-cycle emergency approval is requested.

Background Information: Ventures has received approval from the DIA and Downtown Development Review Board to construct a 13-story, 300 unit apartment tower on the Southbank riverfront between the Acosta Bridge/FEC railroad bridge and the Aetna Building. This bill authorizes an easement from the company to the City to allow public access to an extension of the Southbank Riverwalk across the property. The existing 8 foot wide private sidewalk along the riverfront will be expanded by Ventures into a 20 foot wide extension of the current Riverwalk (same materials and design) and will be connected to Prudential Drive by means of a 12 foot wide pedestrian path with 4-foot planting areas on either side. Ventures will construct and maintain the connector pathway and Riverwalk extension at its expense and will provide 12 parking spaces for public parking to access the Riverwalk. The City will provide Sheriff’s Office security patrols of this portion of the Riverwalk equivalent to that provided on the rest of the Riverwalk. The agreement provides that Ventures must begin construction of the Riverwalk extension by January 17, 2018 and must complete construction within 30 months. The one-cycle emergency is requested so that approval can be granted by the City Council before its summer recess so that the development’s construction timeline can be facilitated.

Policy Impact Area: Downtown redevelopment; public riverfront access

Fiscal Impact: No cost to City, except for typical downtown law enforcement patrols; Ventures will pay all costs of constructing and maintaining the Riverwalk and connecting pedestrian path.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-434

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

Date of Introduction: June 13, 2017

Committee(s) of Reference: R, F

Date of Analysis: June 2, 2017

Type of Action: Approval and authorization of an air rights easement agreement

Bill Summary: This bill approves and authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver the Air Rights Easement Agreement between the City and HP-BDG 200 Riverside, LLC., to allow balcony encroachments within the airspace of Magnolia Street, Jackson Street, and Riverside Avenue; provides oversight by the Planning and Development Department, and requests a one cycle emergency passage.

Background Information: The project for this property is 200 Riverside Redevelopment in Brooklyn. There are some extensions of balconies beyond the standard which require approval to utilize the airspace. The air rights easement along Riverside Avenue initially was granted to JTA. However, the Board of Directors voted at its May 25, 2017, meeting to relinquish their rights to the easement along Riverside Avenue. The one cycle emergency request is based on the fact that the lender cannot proceed with underwriting for the project until the easement is granted.

Policy Impact Area: Development Services, Air Rights Easement

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-435

Introducer/Sponsor(s): Council Member Gaffney

Date of Introduction: June 13, 2017

Committee(s) of Reference: LUZ

Date of Analysis: June 13, 2017

Type of Action: Amend *Ordinance* 2017-219-E

Bill Summary: This bill:

- attaches of the correct legal description and amends the total acreage for the rezoning accomplished through *Ordinance* 2017-219-E located in Council District 7 on 0 Duval Road between Armsdale Road and Dunn Avenue;
- provides an additional rezoning process to assure that the public has notice of the rezoning of the approximately 5.1 ± acre parcel of land as described herein;
- requests a one-cycle emergency passage but following state statutory requirements for rezonings;
- waives Sections 656.123, 656.124, and 656.129, *Ordinance Code* regarding certain notice and public meeting provisions; and
- provides a disclaimer that the rezoning granted herein shall not be construed as an exemption from any other applicable laws

Background Information: The City Council approved *Ordinance* 2017-219-E on May 23, 2017. The legislation rezoned the property from RR-Acre to RLD-50. The new zoning permits development of a single-family subdivision that with a maximum density of 7 units per acre. Additionally, the property is allowed to develop in a lot pattern that will be consistent with similar recent developments in the surrounding area, and increase the available housing stock in the area. The original legal description dated February 12, 2017, is incorrect and has been replaced with “Corrected Exhibit 1 to Ordinance 2017-219-E” dated February 7, 2017. Although the total 49.15 acres (two separate parcels) was planned for rezoning, one parcel (RE #044246-0000) was inadvertently left out. With the exclusion of this parcel in the computer system, the residents within 350 feet of the 5.10 acres were not properly notified. The *Ordinance Code* waiver is necessary to notify the eighteen (18) property owners within the 350 feet of the 5.10 acres. The one cycle emergency passage allows the property owners to complete the real estate closure on the subject properties (RE 044246-0000 and RE 044246-1000).

Policy Impact Area: *Ordinance Code*, Zoning Code

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Resolution 2017-437

Sponsor: Council President at the request of JEA

Date of Introduction: June 13, 2017

Committee(s) of Reference: R

Date of Analysis: June 8, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms JEA's appointment of Teala Milton-Johnson, as a member of the Civil Service Board, replacing William Hiers, for a first full three-year term ending June 30, 2020.

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

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

Ms. Milton-Johnson received an associate's degree in political science from the Florida Community College at Jacksonville and attended the John F. Kennedy School of Government at Harvard University and the ABA National School of Bankcard Management at the University of Oklahoma. She has over 30 years of governmental relations experience and currently serves on a number of community organizations including the Board of Directors for the Florida Chamber of Commerce and the Alliance for Duval County School System. Ms. Milton-Johnson resides in the San Jose Forrest area within Council District #5.

Policy Impact Area: Civil Service Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

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Bill Type and Number: Ordinance 2017-439

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: June 13, 2017

Committee(s) of Reference: R

Date of Analysis: June 15, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Section 350.112 – Election Canvassing Board – to provide that the Duval County Election Canvassing Board shall canvass municipal elections for the Beaches cities and Baldwin as long as those elections coincide with a county-wide election. The bill also authorizes the Duval County Election Canvassing Board to canvass the City of Atlantic Beach municipal elections already scheduled to be held on August 29, 2017 and November 7, 2017 that do not coincide with a county-wide election, and to canvass any Atlantic Beach municipal elections that may be held in 2019 and any other special elections that may be held to fill vacant municipal officer positions in that city prior to 2021, regardless of whether those elections coincide with a county-wide election.

Background Information: State law requires that all countywide elections be canvassed by the county canvassing board. Jacksonville's Ordinance Code provides that the Duval Election Canvassing Board shall canvass all elections held in the county except the strictly municipal elections in the four Urban Services Districts (the three Beaches cities and Town of Baldwin). Those cities each had their own canvassing boards for their municipal elections composed of municipal officials (e.g. city manager, city clerk, city attorney). Over the course of recent years all four of the municipalities changed their city charters or codes to make the Duval County Canvassing Board the official canvassing board for their municipalities and abolished their own canvassing boards. The cities of Neptune Beach and Jacksonville Beach and the Town of Baldwin changed their election dates to coincide with countywide elections to facilitate the county canvassing board handling those elections; the City of Atlantic Beach did not. As a result, Atlantic Beach has designated the Duval County Canvassing Board to canvass its elections, in direct conflict with the Jacksonville Ordinance Code which does not permit the Duval County Election Canvassing Board to canvass purely municipal elections. This bill provides for a the county board to handle the canvassing function for Atlantic Beach until such time as it can either transition its elections to the countywide election schedule, which will not take place until after another round of elections so that the term of office extensions necessary to shift the elections onto the City of Jacksonville's schedule don't affect current incumbents, or to modify its charter to reinstate a city canvassing board.

Policy Impact Area: Election canvassing

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2017-0440

Introducer/Sponsor(s): Introduced by Council Member Katrina Brown

Date of Introduction: June 13, 2017

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

Date of Analysis: June 14, 2017

Type of Action: Appropriation, designation of oversight agency, one cycle emergency

Bill Summary: This bill is a one cycle emergency appropriation of \$91,431.93 from the General Fund/General Service District fund balance to JEA for new street lights. The Public Works Department shall oversee the project.

Background Information: The purpose of the appropriation is to provide funding to JEA for additional street lighting on North Campus Boulevard. The lack of sufficient street lighting in the area presents a safety hazard for regular pedestrian traffic. With the school year now over, there is an increase to the usual pedestrian traffic from more school aged children on the street making street lights an urgent public safety priority.

Policy Impact Area: Street lights for pedestrian safety

Fiscal Impact: \$91,431.93

Analyst: Hampsey

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Bill Type and Number: Resolution 2017-441

Sponsor: Council President Boyer and Council President-Designate Brosche

Date of Introduction: June 13, 2017

Committee(s) of Reference: R

Date of Analysis: June 14, 2017

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Garrett Dennis as a first term member to the Florida Association of Counties, for a term concurrent with his first Council term.

Background Information: The Florida Association of Counties, Inc. is an incorporated not-for-profit pursuant to Chapter 617, *Florida Statutes*, and exists to help counties to effectively serve and represent Floridians by strengthening and preserving home rule through advocacy, education and collaboration. Per Section 3.1, *Bylaws of the Florida Association of Counties, Inc.*, members of the Association shall be Florida county governments that contribute financial support to the Association by paying dues and special assessments as set forth in the Bylaws. Each county government shall be represented by its county commissioners. Council Rule 1.306, as authorized by the Section 10.101, *Ordinance Code*, provides that the Council President shall appoint, subject to City Council confirmation, two Council Members to attend the Association of Counties meetings. One of the designated members shall be a first term Council Member.

Policy Impact Area: Representation on the Florida Association of Counties

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

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Bill Type and Number: Ordinance 2017-442

Introducer/Sponsor(s): Council Member Dennis

Date of Introduction: June 13, 2017

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

Date of Analysis: June 14, 2017

Type of Action: Appropriation

Bill Summary: This bill appropriates \$200,000.00 from General Fund/General Service District Fund Balance to the Parks, Recreation and Community Services Department to provide funding for additional swim lessons, transportation, and education; and requests a one cycle emergency passage.

Background Information: This legislation is an effort to increase public safety considering a recent drownings in the city. The funds will be distributed accordingly:

- additional swim lessons - \$125,000.00
- transportation to swim lessons - \$50,000.00
- education - \$25,000.00

Policy Impact Area: Public safety

Fiscal Impact: None

Analyst: Mitchell