

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2011-371

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

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: June 16, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$425,000 from the City's foreclosed and vacant property registrations to provide \$100,000 to the City's Fore closure Intervention Program and \$325,0 00 to t he City's Homebuyer Counseling Program. Authorization is given for the May or, or designee, and Corporation Secretary to execute necessary documents and take further action to effec tuate the purposes of this ordinance. Provision is made for the carryover of appropriated funds from year to year until the funds are expended.

Background Information: Funding recipients under the Homebuyer Counseling Program include Community Homeownership Center (\$30,000); Fa mily Foundations (\$179,500); Habita t for Hum anity of Jacksonville (\$30,000); Jacksonville Urban League (\$35,500); and, Wealth Watchers (\$50,000). Funding Recipients under the Foreclosure Intervention Program include Jacksonville Area Legal Aid (\$63,750) and Wealth Watcher s (\$36,250).

Policy Impact Area: Housing and Neighborhoods; Foreclosure Intervention

Fiscal Impact: Undetermined; \$425,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-372

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: June 17, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$1,400,000 in accumulated Rental Rehabilitation Loan Program income to provide funds for Rental Rehabilitation projects, as initiated by B.T. 11-090; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State or Federal program grant; authorizes the Mayor and Corporation Secretary to execute and deliver documents and take further action to effectuate the purpose of this ordinance.

Background: The City established the Rehabilitation Loan Program as a mechanism to alleviate substandard and promote and provide affordable housing. The program was established under Ordinance 79-1358-697 and funded through the City's Community Development Block Grant program. The City used the funds within the program to secure loans made by conventional lenders to eligible individuals. As those loans were repaid, the requirement for that collateral was reduced. The \$1,400,000 being appropriated represents collateral no longer required for the remaining loans. The funds must be used for CDBG eligible activities, one of which is "rehabilitation of residential and non-residential structure." The funds are being appropriated to the City's Rental Rehabilitation activity to fund rehabilitation to rental units benefiting households at or below 80% of Area Median Income.

Policy Impact: Housing and Neighborhoods Department/Affordable Housing

Fiscal Impact: The ordinance appropriates \$1,400,000.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-373

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

Date of Introduction: June 14, 2011

Committee(s) of Reference: F

Date of Analysis: June 16, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$1,508, 940 from a Banking Fund Computer Equipment account to a Banking Fund Professional Services account to transfer the capacity to the correct object so that it can be spent in accordance with accounting guidelines.

Background Information: The funds were originally budgeted for computer equipment rather than professional services, and this appropriation will align the funding in preparation for award and contract execution.

Policy Impact Area: Information Technology; Banking Fund; Budget and Accounting

Fiscal Impact: Undetermined; \$1,508,940 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-374

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: June 17, 2011

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$27,230 in grant funding from Maddie's Fund Pet Rescue Foundation for the purchase of high quality scanners to check for microchips on last animals and thus increase the return of such animals to their owners.

Background: Dave and Cheryl Duffield endowed Maddie's Fund with more than \$300 million as a charitable foundation to honor the memory of the memory of their cherished and beloved Miniature Schnauzer, whom they shared ten years together. David Duffield was the founder of PeopleSoft, a company that provided management systems and customer relationship management software. Founded in 1985, the company was acquired by Oracle Corporation in 2005. Maddie's Fund's aims are to save homeless pets. The Foundation supports numerous programs such as low-income spay/neuter programs to help reduce the number of unwanted pets entering animal shelters. Maddie's Fund offers fourteen different grants, ranging in size from \$5,000 starter grants to multi-million dollar community collaborative grants. New York City is the largest grant recipient.

Policy Impact: Environmental & Compliance/Animal Care & Preventive Services

Fiscal Impact: The ordinance appropriates \$27,230

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-375

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 14, 2011

Committee(s) of Reference: TEU

Date of Analysis: June 17, 2011

Type of Action: Ordinance Amendment

Bill Summary: This ordinance concerns a Certification of Public Convenience and Necessity (CON) granted to Coastal Recycling Services, LLC by Ordinance 2009-845-E; the ordinance amends Ordinance 2009-845-E by amending the stockpile height and vertical side-slope requirements of Specific Condition 10 and the Operating Hours provision of Specific Condition 11 in Exhibit 1; making no other changes to Ordinance 2009-845-E.

Background: Ordinance 2009-845-E granted Coastal Recycling Services, LLC a Certificate of Public Convenience to operate a construction and demolition materials recover facility. Coastal Recycling Services, Inc. is located at 11011 Blasius Road in Council District 11. Due to a scrivener's error in the original application that was transferred into the special conditions that were approved as part of the CON, the height of the allowable material stockpile was listed at 30-feet based on the 3 to 1 horizontal to vertical side-slope within the applicant's proposed 100-foot by 100-foot stockpile areas. The applicant's intent was for the side-slopes to be no greater than 2 to 1 horizontal to vertical. The 2 to 1 side slope was requested by the applicant. In addition, the applicant has requested the operational time for the facility changed from 7:30 a.m. and 6:00 p.m. to 7:00 a.m. and 5:00 p.m. The Solid Waste Division has no objection to these changes.

Policy Impact: Public Works/Solid Waste Division

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-376

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

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: June 16, 2011

Type of Action: Agreement Approval

Bill Summary: This bill approves a Memorandum of Agreement with Naval Station May port establishing a perimeter clear zone along the fence line between Hanna Park and Naval Station Mayport. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute said Memorandum of Agreement.

Background Information: The agreement has a three-year term and is to be reviewed at least annually. It permits the Navy to clear vegetation in a five-foot perimeter zone on Hanna Park property adjacent to Naval Station Mayport.

Policy Impact Area: Recreation and Parks; Military Affairs

Fiscal Impact: Undetermined; services are to be provided without reimbursement by the City

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-377

Introducer/Sponsor(s): Council President at the request of the Jacksonville Retirement System Board of Trustees

Date of Introduction: June 14, 2011

Committee(s) of Reference: R, F

Date of Analysis: June 16, 2011

Type of Action: Ordinance Code waivers

Bill Summary: The bill waives the provisions of Ordinance Code Chapter 106 – Budget and Accounting Code – which requires that annual City funding to the employee pension plans be based upon annual actuarial reports on the funds so that the FY12 funding level can be a continuation of the FY11 rate. Pursuant to the Ordinance Code, approval of this waiver requires a 2/3 vote of the City Council.

Background Information: This waiver was requested by the Board of Trustees for the Jacksonville Retirement System based on 3 factors: 1) state law only requires that pension actuarial studies be done every 3 years and a study next year would meet that state requirement; 2) an actuarial study done now would not reflect stock market gains accrued during the current fiscal year; and 3) an actuarial study done now would require an unnecessary increase the City's pension contributions for FY12.

Policy Impact Area: Pension funding

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-378

Introducer/Sponsor(s): Council President at the request of the Jacksonville Retirement System Board of Trustees

Date of Introduction: June 14, 2011

Committee(s) of Reference: F

Date of Analysis: June 16, 2011

Type of Action: Clarification of Ordinance Code requirement

Bill Summary: The bill clarifies the status of certain Pension Excess Contribution (PEC) assets within the Jacksonville Retirement System to define the funds as part of the general assets of the fund and not a separately segregated fund.

Background Information: Pension Excess Contribution originated several decades ago when the City overfunded (on an actuarial basis) the City's pension funds and state law provides that PEC may be utilized to make a portion of the required annual pension contribution. The Ordinance Code was amended in 2008 to prohibit the use of any Pension Excess Contribution funds for payment of the City's required annual pension contribution. Since that change, the existing PEC assets, while comingled with the other assets of the fund, are separately accounted for and the value is deducted from the net value of the fund by the actuarial study when determining the pension fund's value and funding level. Since the funds can no longer be used for the purpose for which they were intended since the change in the ordinance, this bill is intended to discontinue the separate accounting for the PEC and allow the existing value of \$10,694,410 to be counted as unrestricted assets of the pension fund.

Policy Impact Area: Pension assets

Fiscal Impact: The bill would have the effect of releasing a use restriction on \$10,694,410 in pension fund assets.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-379

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; PHS

Date of Analysis: June 17, 2011

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$1,176,000 from the Banking Fund Reserves to provide funding to secure land at new Fire Station #62 (Bartram Park area), and to place mobile (temporary) quarters at new Fire Station #61 (Oakleaf Plantation area), new Fire Station #62, and new Fire Station #63 (St. Johns Town Center area), as initiated by B.T. 11-095; the ordinance amends the 2011-2015 Five-Year Capital Improvement Program, approved by Ordinance 2010-558-E, to increase the budgets for the projects entitled "New FS #61," "New FS #62" and "New FS #63".

Background: This legislation authorizes funding for temporary fire station projects. The new fire stations have not been constructed. The City owns the property for the new fire station sites; construction of the new structures has been delayed because of the economy. Acquisition of the mobile quarters, placing those mobile quarters on the sites of the new fire stations and having fire engine apparatus at those sites enables the Fire & Rescue Department to reduce response times in these high growth areas and provide adequate protection.

Policy Impact: Fire & Rescue Department

Fiscal Impact: This ordinance appropriates \$1,176,000.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-380

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: June 14, 2011

Committee(s) of Reference: LUZ

Date of Analysis: June 16, 2011

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Daniel Dudley, Gary Dudley, and John Dudley as Trustees of the Dudley Family Trust. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The proposed agreement is for a development to be known as San Jose Venture, consisting of approximately 1.95 acres on San Jose Boulevard between Julington Creek Road and Westberry Road. Plans are for a maximum of 20,000 square feet of warehouse uses and a maximum of 9,600 square feet of auto repair uses with three bays. The agreement is made subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-381

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: June 14, 2011

Committee(s) of Reference: LUZ

Date of Analysis: June 16, 2011

Type of Action: Consideration of Sign Waiver Application

Bill Summary: This bill provides for consideration of the recommendation of the Land Use and Zoning Committee and the Staff Report of the Planning and Development Department concerning zoning waiver SW-11-6. Legislative Services is directed to mail a copy of the enacted legislation to the applicant and other interested parties.

Background Information: The subject property is located at 1538 Hendricks Avenue, between Cedar and LaSalle streets. The sign waiver application was filed by 1538 Hendricks, LLC, as owner of the property, and it requests a reduction of the minimum setback from 10 feet to 1 foot for a sign in the CCG-1 (Commercial Community/General-1) zoning district.

Policy Impact Area: Planning and Development; Sign Waivers

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-382

Introducer/Sponsor: Land Use and Zoning Committee

Date of Introduction: June 14, 2011

Committee(s) of Reference: LUZ

Date of Analysis: June 16, 2011

Type of Action: Consideration of Road Frontage Waiver Application

Bill Summary: This bill provides for consideration of the recommendation of the Land Use and Zoning Committee and the Staff Report of the Planning and Development Department concerning road frontage waiver WRF-11-5. Legislative Services is directed to mail a copy of the enacted legislation to the applicant and other interested parties.

Background Information: The subject property is located at 8580 Lenox Avenue, between Hammond Boulevard and Cahoon Road. The road frontage waiver application was filed by James E. Everett, as owner of the property, and it requests a reduction of the minimum road frontage from 80 feet to 0 feet in the RR-Acre (Residential Rural-Acre) zoning district.

Policy Impact Area: Planning and Development; Road Frontage Waivers

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2011-383

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

Date of Introduction: June 14, 2011

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

Date of Analysis: June 16, 2011

Type of Action: Expression of support for Enterprise Zone and Brownfields Redevelopment Area expansion; designation of oversight agency

Bill Summary: The bill authorizes submission of an application to the State of Florida for an expansion of the usable capacity of the City's Enterprise Zone and Brownfields Redevelopment Area by the reclassification of 462 acres within the Imeson International Industrial Park, removing roadways and other undevelopable land from the Enterprise Zone designation and extending the designation to other usable properties.

Background Information: The City's Enterprise Zone was originally designated in 1995 and in 2005 was amended to include several non-contiguous parcels in the Imeson Industrial Park, Cecil Commerce Center and on Phillips Highway in the zone. The City's Brownfields Redevelopment Area has been defined as having the same boundaries as the Enterprise Zone. Designation as an Enterprise Zone or Brownfield Area makes properties available for certain federal and state grants, tax incentives and other enticements to development.

Policy Impact Area: Enterprise Zone expansion/redesignation

Fiscal Impact: Undetermined – makes additional developable land eligible to participate in Enterprise Zone and Brownfields Redevelopment Area incentive programs.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-384

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

Date of Introduction: June 14, 2011

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

Date of Analysis: June 17, 2011

Type of Action: Economic Development Agreement Authorization; QTI Recommendation; Local Financial Support Commitment; REV Grant Authorization; Policy Waiver

Bill Summary: This ordinance approves and authorizes the execution of an Economic Development Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and Kaman Aerospace Corporation ("Company"), to support the expansion of the company's operations in Jacksonville; recommending that the company be approved by the State of Florida's Office of Tourism, Trade and Economic Development as a Qualified Target Industry ("QTI") business with Enterprise Zone and High Impact Sector Bonuses, pursuant to Sections 288.106-108, Florida Statutes, and approved for a Brownfield Development bonus pursuant to Section 288.107, Florida Statutes; evidencing a commitment of City support in an amount not to exceed \$420,000 as the local financial support under the Qualified Target Industry Tax Refund Program payable over multiple years per guidelines set up by OTTED, with a State match of \$1,680,000 (including a Brownfield bonus of \$2,500 per job, High Impact Sector bonus of \$3,000 per job), for a total City and State QTI amount of \$2,100,000 for 200 jobs; authorizes a Recapture Enhanced Value (REV) Grant of \$231,000; approves and authorizes the execution of documents by the Mayor, Corporation Secretary and JEDC Executive Director; authorizes approval of technical amendments by the JEDC Executive Director; providing for City oversight by JEDC; waives that portion of the Public Investment Policy adopted by Resolution 2006-119-A which would require creation of at least 250 new QTI wage level jobs, ten million dollars in new private capital investment, and the hiring of 10 percent of new employees from within the Enterprise Zone to be eligible for Enterprise and Brownfield bonus for the proposed project.

Background: Kaman Aerospace Corporation was founded in 1945. Headquartered in Bloomfield, Connecticut, Kaman has business units throughout the world. In 2010, Kaman Corporation reported net sales of \$1.3 billion and net earnings of \$38 million. A proposed expansion project would add 200 new, full-time jobs to the local market with an average wage of \$46,000. The project proposes to invest approximately \$28,000,000 in new private capital for renovations and manufacturing equipment. Kaman is leasing a portion on an existing 280,000-square foot facility within the Imeson Industrial Park to house the additional people, equipment, tooling, materials, and engineering space. JEDC proposes amending the Enterprise Zone boundary within the Imeson Industrial Park area to include a greater amount of useable acreage. By adding the proposed site to the Enterprise Zone, the company will be qualified for the QTI program's Enterprise Zone and Brownfield bonuses.

Policy Impact: Economic Development/Jacksonville Economic Development Commission

Fiscal Impact: The Economic Development Agreement commits the City to \$420,000 as evidence of local financial support required under the Qualified Target Industry Tax Refund Program.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-385

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

Date of Introduction: June 14, 2011

Committee(s) of Reference: R, F

Date of Analysis: June 16, 2011

Type of Action: Amendment of City investment policy

Bill Summary: The bill amends the City investment policy authorized by Ordinance Code Chapter 110 – City Treasury – and adopted by Ordinance 2006-824-E to make several changes:

- Applying new restrictions on the holding of Asset Backed Securities by means of category limits, credit quality limits and a maximum duration measure;
- Applying a new restriction on the maximum amount of corporate securities held that trade under SEC Rule 144a;
- Prohibiting the holding of non-US securities rated below Ba or BB;
- Prohibiting investment in Frontier Markets;
- Reducing the minimum allocation to US government debt obligations;
- Increasing the maximum allocation to non-investment grade securities from 7.5% to 9.0%;
- Removing references to two separate portfolios for “Active” and “Liquidity” components and to a stated minimum percentage to be held in a “Liquidity Portfolio”.

Background Information: This legislation adds flexibility in some areas to achieve higher returns (lower required Treasury holdings), and removes flexibility in some areas (asset backed and Frontier) to reduce risk. The Investment Committee looks at the Policy annually and proposes changes intended to improve safety of capital, adequacy of liquidity, and returns. This is the result of that review.

Policy Impact Area: Investment policy

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-386

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

Date of Introduction: June 14, 2011

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

Date of Analysis: June 16, 2011

Type of Action: Ordinance Code amendments

Bill Summary: The bill amends Ordinance Code Chapter 155 - Adult Arcade Amusement Centers, Chapter 156 - Electronic Game Promotions, and Chapter 609 – Code Enforcement Citations in order to classify offenses relating to adult arcade game regulations within the City’s existing uniform schedule of fines; to clarify the enforcement authority of both the Sheriff’s Office and the Environmental and Compliance Department, and to provide that violations may be enforced either through the Municipal Code Enforcement Board, by means of citations, or via civil penalties.

Background Information: The amendments are intended to make specific reference to violations of these chapters and to clarify the City’s enforcement powers by multiple agencies. The amendments to Chapters 155 and 156 declare violations of those chapters to be Class E offenses subject to a fine of up to \$350. The amendments provide that any civil penalties recovered for violations of the chapters shall be used to fund the administration and enforcement efforts for the chapters.

Policy Impact Area: Adult arcade game regulation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-387

Sponsor: Council Member Crescimbeni:

Date of Introduction: June 14, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: June 17, 2011

Type of Action: Ordinance Amendment

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Second Amendment to the Lease Agreement between the City of Jacksonville and Jacksonville Marine Charities, Inc. ("lessee") for lessee's use of areas and facilities at Sisters Creek Park ("park") in conducting an annual fishing tournament ("tournament") so as to charge lessee rent, for the 2011 lease year only, based on half of the daily fee charged by the Recreation and Community Services Department on the number of days the park is closed to the public for lessee's exclusive use in conducting the tournament; amends the First Amendment to Lease Agreement approved in Ordinance 2009-256-E; provides for City oversight by the Department of Recreation and Community Services.

Background: This lease agreement concerns the annual King Fish Tournament held at Sister's Creek. The tournament is sponsored by Jacksonville Marine Charities. The amendment to the First Amendment to the Lease Agreement provides that the City charge the lessee rent, for the 2011 lease year only, based on half of the daily fee charged by the Recreation and Community Services Department on the number of days the park is closed to the public.

Policy Impact: Annual King Fish Tournament; Recreation and Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-388

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: June 14, 2011

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

Date of Analysis: June 16, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 55 – Housing and Neighborhoods Department – in Part 3 – Community Development Division – to insert a provision assigning the City the responsibility for maintaining the landscaping of Town Center projects where construction was approved by the City and completed by July 1, 2011, and for which maintenance responsibility is not otherwise provided by means of a signed maintenance agreement with another party.

Background Information: The City allocated funds for planning and construction of a number of Town Center projects across the City, some of which have been completed and others of which are still in the planning stages. The Town Center initiative involves infrastructure renovations (street and sidewalk improvements, street lighting, street furniture, landscaping, etc.) to key neighborhood commercial centers as a means of encouraging business revitalization and community redevelopment.

Some Town Centers have been “adopted” and are being maintained by private organizations, others have not. This amendment clarifies that where maintenance of a Town Center completed by July 1, 2011 has not been undertaken by a private organization under a written agreement, the City will be responsible for that maintenance.

Policy Impact Area: Town Center landscape maintenance

Fiscal Impact: Undetermined – will depend on the number of Town Centers for which the City will need to assume maintenance responsibility and on the level of landscaping and amenities being maintained.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-389

Sponsor: Council President at the request of the Greater Arlington/Beaches CPAC

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Reappointment Confirmation; Ordinance Code Waiver

Bill Summary: This bill confirms the Greater Arlington/Beaches Citizens Planning Advisory Committee's reappointment of Marcella A. Lowe to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, for a fourth three-year term ending June 30, 2014. Section 50.104, *Ordinance Code*, limiting commission members to two consecutive terms is waived.

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

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council. Mrs. Lowe is retired from the banking industry. She is a long-time community activist and has previously served as a member of the Stormwater Advisory Committee. Mrs. Lowe resides in the Alderman Park area within Council District #1 in the Greater Arlington/Beaches CPAC.

Attendance: According to records provided by the staff for the TRUE Commission, Mrs. Lowe has attended 82 of 92 (89%) meetings of the commission since her initial appointment in 2003.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-390

Sponsor: Council President at the request of the Cultural Council of Greater Jacksonville

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Penelope "Penny" Steeple Thompson to the Cultural Service Grant Committee, replacing Martha Barrett as a Cultural Council representative, for a first term ending December 31, 2013.

Background Information: The Cultural Service Grant Committee is established pursuant to Chapter 118, Part 6, *Ordinance Code*, and charged to recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding. Section 118.605, *Ordinance Code*, provides that the membership of the committee shall include five members of the Cultural Council Board, confirmed by the City Council.

Ms. Thompson received a bachelor's degree in political science from the University of Florida and is the Vice President of Public Affairs with *Shands Jacksonville*. She currently serves on the Jacksonville Waterways Commission and has previously served on the International Relations and 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: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2011-391

Sponsor: Council President at the request of the Cultural Council of Greater Jacksonville

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Melody S. Bishop, AIA to the Cultural Service Grant Committee, replacing Diane Brunet-Garcia as a community representative, for a first term ending December 31, 2013.

Background Information: The Cultural Service Grant Committee is established pursuant to Chapter 118, Part 6, *Ordinance Code*, and charged to recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding. Section 118.605, *Ordinance Code*, provides that the membership of the committee shall include five community representatives confirmed by the City Council.

Ms. Bishop received a master's degree in architecture from the University of Florida and is an Architect with *Akel Logan Shafer, P.A.* She currently serves on the JIA Area Redevelopment Agency Board and has previously served on the Jacksonville Landscape Commission. Ms. Bishop resides in the Clifton area within Council District #2.

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-392

Sponsor: Council President at the request of the Cultural Council of Greater Jacksonville

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Ryan A. Schwartz to the Cultural Service Grant Committee, replacing Ju'Coby Pittman as a community representative, for a first term ending December 31, 2013.

Background Information: The Cultural Service Grant Committee is established pursuant to Chapter 118, Part 6, *Ordinance Code*, and charged to recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding. Section 118.605, *Ordinance Code*, provides that the membership of the committee shall include five community representatives confirmed by the City Council.

Mr. Schwartz is the Senior Vice President of Corporate Affairs with *Zurich Insurance Services, Inc.* He is actively involved in philanthropy and leadership of numerous organizations. Mr. Schwartz resides in the Miramer area within Council District #5.

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-393

Sponsor: Council President at the request of the Cultural Council of Greater Jacksonville

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Lisa M. Goodrich to the Cultural Service Grant Committee, replacing Mary Soderstrum as a community representative, for a first term ending December 31, 2013.

Background Information: The Cultural Service Grant Committee is established pursuant to Chapter 118, Part 6, *Ordinance Code*, and charged to recommend to the Cultural Council Board of Directors the organizations to be funded and the amount of the funding. Section 118.605, *Ordinance Code*, provides that the membership of the committee shall include five community representatives confirmed by the City Council.

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

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-394

Sponsor: Council Member Corrigan

Date of Introduction: June 14, 2011

Committee(s) of Reference: R

Date of Analysis: June 10, 2011

Type of Action: Reappointment

Bill Summary: This bill reappoints Donald G. Ingram to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 14, for a second full two-year term ending June 30, 2013.

Background Information: The Jacksonville-Duval County Council on Elder Affairs is established pursuant to Chapter 82, *Ordinance Code*, and charge to serve as an advocate, for the older persons in the city, to the governmental agencies responsible for the various plans and programs designed to help older persons; assist in the implementation of plans and programs selected by regional organizations, as they relate to the city and its citizens; and designate priorities among programs developed in the city by public, nonprofit and private providers concerning older persons. Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members.

Mr. Ingram received a master's degree in city planning and has previously served on the Jacksonville Landscape Commission. He resides in the Lakeshore area within Council District #14.

Attendance: According to records provided by the staff for the Council on Elder Affairs, Mr. Ingram has attended 16 of 18 (89%) of the meetings of the council since his initial appointment in 2009.

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

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-397

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

Date of Introduction: June 14, 2011

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

Date of Analysis: June 16, 2011

Type of Action: Appropriation; Reauthorization of Positions; Emergency Request

Bill Summary: This bill appropriates \$521,844.92 (\$360,393.60 in grant funding from the Florida Department of Environmental Protection and \$161,451.32 from Fund Balance) to provide funding for the Gas Storage Tank Inspection Program administered by the Environmental Quality Division of the Environmental and Compliance Department for the July 1, 2011, to June 30, 2012, grant period. Provision is made for the carry over of appropriated funds into the 2011-2012 fiscal year. Positions are reauthorized in connection with the grant, and authorization is given for the Mayor, or designee, and Corporation Secretary to execute the fiscal year 2011 Task Assignment and related documents necessary to use grant funds to undertake approved projects. Emergency action is requested as the contract period begins July 1, 2011.

Background Information: Information on file states that the Environmental Quality Division has administered an inspection program for over fifteen years and is now entering the fourteenth year of a multi-year contract with the Florida Department of Environmental Protection, which funds the program. The grant period coincides with the State's fiscal year.

Policy Impact Area: Gas Storage Tank Inspection; Environmental Protection

Fiscal Impact: Undetermined; \$521,844.92 is appropriated by this ordinance; information on file states that the program is fully funded by the State, with no General Fund contribution

Analyst: Campbell

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2011-398

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 14, 2011

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

Date of Analysis: June 17, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates 1,039,225 (a \$962, 879 grant from the Florida Department of Environmental Protection, \$53,346 from Fund Balance and \$23,000 from Internal Service Funds) to fund the Gas Storage Tank Clean-Up Program administered by the Environmental Quality Division of the Environmental & Compliance Department for the grant period from July 1, 2011, to June 30, 2012, as initiated by B.T. 11-109; provides for a carryover to Fiscal Year 2011-2012; reauthorizes positions in the Gas Storage Tank Clean-Up Program for the grant period, as initiated by R. C. 11-205; authorizes the Mayor and Corporation Secretary, pursuant to Section 117.104, *Ordinance Code*, to execute and deliver grant documents to effectuate the purpose of this ordinance; **requests emergency passage.**

Background: For over 15 years, the Environmental Quality Division (EQD) of the Environmental and Compliance Department has administered the Gas Storage Tank Clean-Up Program. EQD will enter the third year of a new multi-year contract with the Florida Department of Environmental Protection, which funds the program. *Emergency passage is requested because the contract period for this account begins July 1, 2011.*

Policy Impact: Environmental Protection; Environmental & Compliance Department/Environmental Quality Division.

Fiscal Impact: The bill appropriates \$1, 039,225

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-399

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

Date of Introduction: June 14, 2011

Committee(s) of Reference: R, F

Date of Analysis: June 16, 2011

Type of Action: Ordinance Code amendment; Ordinance Code waiver; emergency action request

Bill Summary: The bill amends numerous provisions of Ordinance Code Chapter 120 – General Employees and Corrections Officers Retirement Plan – to establish differing pension benefits for employees hired prior to or on or after October 1, 2011. The major changes include:

- For members hired on or after October 1, 2011, “final monthly compensation” is defined as the member’s average monthly rate of earnable compensation from the highest paid 60 consecutive months (130 pay periods) out of the last 10 years of employment; for current employees it is the highest 36 months (78 pay periods).
- For members hired on or after October 1, 2011, full time service retirement can be taken upon reaching age 60 with 20 years of credited service; for current employees it is age 55 with 20 years of credited service.
- For members hired on or after October 1, 2011, early retirement with a reduced benefit can be taken upon reaching age 55 with 20 years of credited service; for current employees it is age 50 with 20 years of credited service.
- For members hired on or after October 1, 2011, the survivorship benefit for orphaned children of a member will be 75% of the spousal benefit distributed among the eligible children; for current employees it is 100% of the spousal benefit distributed among the eligible children.
- For members hired on or after October 1, 2011, an option is created for the member to receive the full amount of an earned pension with no benefits to a spouse after the death of the member, or the member may opt to take a reduced pension during his/her lifetime while leaving a spousal benefit after the member’s death. The selection of an option is irrevocable and must be made at the time of retirement. Several options are created for spousal benefits in varying amounts and for varying lengths of time, based on the actuarial value of the member’s benefit. Provision is made for treatment of benefits in the event of divorce or remarriage of a spouse. For current employees the spousal benefit is 75% of the member’s benefit from the death of the member until the death of the spouse.

The bill states that implementation of the amendments as they may impact members of the Communications Workers of America bargaining unit is subject to applicable collective bargaining laws.

The bill waives the provision of Ordinance Code Section 120.102(v) which prohibits the adoption of any changes to the Jacksonville Retirement System prior to the presentation of the proposed change to the appropriate Pension Advisory Committee and the Board of Trustees of the Jacksonville Retirement System for their comments. The bill requests emergency action.

Background Information: The bill codifies the provisions of agreements negotiated between the City and its non-public safety collective bargaining units (except for the Communications Workers of America as noted in the bill) to reduce pension benefits for future City employees in order to reduce rate of increase of the City's required annual employer contribution to the pension funds, which has grown at a daunting rate in recent years.

Policy Impact Area: Pension benefit alterations

Fiscal Impact: The Mayor's announcement of the pension modification proposal stated that the combined savings to the City over 35 years resulting from the changes to the City's three pension plans would be approximately \$1 billion.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-400

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

Date of Introduction: June 14, 2011

Committee(s) of Reference:

Date of Analysis: June 16, 2011

Type of Action: Ordinance Code amendment; authorization of amendment to agreement with Police and Fire Pension Fund; emergency action request

Bill Summary: The bill amends numerous provisions of Ordinance Code Chapter 121 – Police and Firefighters Pension Plan – to establish differing pension benefits for employees hired prior to or on or after October 1, 2011, to be known as Group II members. The major changes include:

- Defines employees hired before October 1, 2011 as Group I employees; those hired on or after October 1, 2011 are Group II employees.
- The employee pension contribution for Group II employees shall be 8% of all salaries, excluding all overtime, state incentive pay, reimbursed expenses and allowances such as clothes/cleaning allowance and payments for unused accrued leave; the contribution rate for (Group I employees shall remain 7%.
- Beginning October 1, 2012 the payroll base of Qualified Members (or DROP participants) shall be included with the payroll base of Members (or non-DROP participants) for purposes of establishing the City's minimum required percentage contribution, including the use of such expanded payroll to establish the unfunded actuarially accrued liability (UAAL).
- A new section is added establishing the Police and Fire Pension Fund as an irrevocable trust fund made up of several funding streams which may be comingled but which must be separately tracked and accounted for; the fund shall be invested and managed by the Police and Fire Pension Fund Board of Trustees using a written investment policy.
- Beginning October 1, 2011, Group II members shall accrue time service retirement benefits at a rate of 2.8% per year for the first 25 years of service and 2% thereafter up to a cap of 80% after 30 years; Group I employees accrue benefits at a rate of 3% per year for the first 20 years and 2% thereafter up to a cap of 80% at 30 years of service.
- For Group II employees full time service retirement is achieved at 25 years of service regardless of age; for Group I employees full retirement is reached at 20 years of service regardless of age.
- For Group II employees vesting occurs after 8 years of service; Group I employees vest after 5 years.
- Group II employees are eligible to enter DROP after 25 years of service; Group I employees are eligible after 20 years. The City contribution on the salary of DROP participants shall be zero percent through September 30, 2012, after which it shall resume at the rate calculated annually based on the actuarial valuation of the fund in the same manner as the City's normal contribution.

- The guaranteed rate of return for Group II DROP participants shall be the Actuarial Earnings Assumption at the time of the member's enrollment in DROP, less a risk premium of 0.25%.
- Creates a Back DROP program under which a Group II member with 25 or more years of credited service may elect to retire, have the retirement dated retroactively to an earlier date which would still include 25 years of credited service, and enter the Back DROP plan.
- For Group II employees, Final Average Pay is based on the last 60 months of service (130 pay periods); for Group I employees the calculation is made on the last 24 months of service (52 pay periods).
- For Group II DROP employees, Cost of Living Adjustments (COLA) begin in the third January after retirement; for Group I DROP employees COLAs begin in first January at least 3 months after DROP date.
- For Group II employees a disability pension is paid at 50% of the earnings base; for Group 1 employees it is paid at 60%.

Background Information: The bill codifies the provisions of agreements negotiated between the City and its police and fire collective bargaining units to reduce pension benefits for future City employees in order to reduce rate of increase of the City's required annual employer contribution to the pension funds, which has grown at a daunting rate in recent years.

Policy Impact Area: Pension benefit alterations

Fiscal Impact: The Mayor's announcement of the pension modification proposal stated that the combined savings to the City over 35 years resulting from the changes to the City's three pension plans would be approximately \$1 billion.

Analyst: Clements