

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2019-462

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: June 25, 2019

Committee(s) of Reference: TEU, LUZ

Date of Analysis: June 27, 2019

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 656 – Zoning Code – to revise and add requirements regarding buffers and landscaping on various types of properties depending on the nature of the adjacent property use, including the adoption of a buffer table. It relocates the regulation of driveway locations from Part 12 – Landscape and Tree Protection Regulations - to Part 6 – Off-Street Parking, On-Street Parking and Loading Regulations – of the Zoning Code and replaces the previous Parking Lot Landscape Matrix with narrative descriptions of the landscaping requirements for parking lots under various circumstances.

Background Information: The bill derives from the work of several council members who met on a number of occasions to discuss the reasons why Jacksonville seems to process so many rezoning applications for PUDs rather than conventional zoning districts. The group learned that one of the major reasons has to do with the desire of neighborhood residents and council members to impose varying depths and densities of buffers on new development depending on the nature of that development and the existing property uses it will abut, which is not permitted under conventional zoning categories.

The bill establishes 5 Adjacent Use Buffer Types (A, B, C, D and E) that increase in mandatory depth and in the size and density of the buffer material (shrubs, trees, fences, walls). It provides 12 buffer graphics depicting options for the arrangement of required buffer materials. It creates a Buffer Table establishing a sliding scale of buffer requirements based on the zoning category and use intensity of the two abutting properties. It provides for relaxation of or exemption from adjacent buffer requirements in certain defined circumstances. It provides specific requirements for fences, walls, berms, screening plants and associated landscaping.

Policy Impact Area: Screening of adjacent land uses

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2019-463

Sponsor: Introduced by Council Member Ferraro

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, F, JWW

Date of Analysis: June 24, 2019

Type of Action: Appropriation

Bill Summary: This bill provides up to \$10,000 from the Florida Boaters Improvement Program for the placement of Safety Zone signs in the St. Johns River and Shad's Creek, to create a safety zone within 300 feet of the centerline of the bridge, from shore to shore, on either side of the bridge.

Background Information: The purpose of the appropriation is to permit, construct or purchase, and install signs posting the Shad Creek Bridge boating safety zone. The amount appropriated will remain in the Florida Boaters Improvement Fund and will be available to future appropriation. The bill derives from a complaint by a citizen to his district council member and to the Waterways Commission about speeding boats on Shad's Creek causing shoreline erosion and dock damage due to excessive wakes.

Policy Impact Area: Safety zone signs

Fiscal Impact: Appropriating up to \$10,000

Analyst: Distel

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Bill Type and Number: 2019-464

Introducer/Sponsor(s): Council Member Becton

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, LUZ

Date of Analysis: June 24, 2019

Type of Action: Creation of new Ordinance Code section

Bill Summary: This bill creates a new Section 321.103.1 (Changing table requirements), Chapter 321 (Adoption of Building Code), *Ordinance Code*. One cycle emergency passage of this legislation is requested so as the new Section 321.103.1 is included in the upcoming Local Amendment to the Florida Building Code.

Background Information: The purpose of this legislation is to specify requirements for changing tables in any building that is newly constructed or undergoes substantial renovation on or after October 1, 2019 and that has a restroom open to the public. The rules adopted by the Building Codes Adjustment Board must require: at least one changing table accessible to women, and at least one changing table accessible to men, or at least one changing table accessible to both women and men; signage indicating the location of each changing table; for buildings with a central directory, it must indicate the location of all changing tables on the premises; an exemption for buildings when the cost of installation of the required changing table would exceed 10 percent of the total construction or renovation costs.

Policy Impact Area: Building Code- Changing Tables

Fiscal Impact: No direct cost to the City

Analyst: Hampsey

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Bill Type and Number: Resolution 2019-465

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: June 24, 2019

Type of Action: Revision of facility lease

Bill Summary: This bill approves the Police Athletic League of Jacksonville to yield the portions of Ed Austin Regional Park back to the City and enters into a license agreement for the PAL facility in place of a lease agreement.

Background Information: PAL wishes to continue to serve the community and wants to enter into a license agreement under which it will continue to offer programming and recreational activities at Ed Austin Regional Park. Unlike the current lease, which recently expired, PAL would no longer be responsible for maintenance of the building, which has needed expensive repairs recently.

Policy Impact Area: Land yielded back to the City

Fiscal Impact: City will take on the maintenance of the facility

Analyst: Distel

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Bill Type and Number: Ordinance 2019-0466

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

Date of Introduction: June 25, 2019

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

Date of Analysis: June 27, 2019

Type of Action: Appropriation of funds, CIP amendment

Bill Summary: The bill approves the acquisition of two properties along Orange Picker and Brady Roads in two separate purchase and sale agreements. The two properties are contiguous and will allow for the realignment of Orange Picker Road. The appraised value of the two properties is a combined \$305,000 (\$200,000 for the Burney property and \$105,000 for the Walsh property). Additionally, funds will be needed for environmental remediation and demolition of any structures for the expansion of the parking lot at Alberts Field, and roadway intersection improvements for a grand total appropriation of \$345,000. Funding will come from two areas:

- \$30,000 transferred between projects in Subfund 32E
- \$315,000 in available unappropriated revenue from Subfund 324

The bill amends the current CIP, Ord. 2018-505E, to include this project entitled "Orange Picker/Brady Road" and the transferring of funds required to complete the purchase and sale agreements.

The bill authorizes the Mayor and/or his designee to execute the purchase and sale agreements for each of the two properties over two separate transactions. The purchase and sale agreements require no deposit and allow the City to terminate without penalty at its sole option. Closing will take place within 30 days after title is clear to the satisfaction of the City. Oversight for the project will be provided by The Real Estate Division of the Department of Public Works.

Background Information: It is proposed that the deferral of this amendment to the CIP until the next annual budget and CIP review will cause the owners of the property to terminate the agreement and cease the City's ability to complete the roadway improvements economically and expeditiously.

Policy Impact Area: Roadways in the Alberts Field area of Mandarin in District 6, CIP Ord. 2018-505E

Fiscal Impact: Funds are being transferred between projects in Subfund 32E. The remaining funds in Subfund 324 is available unappropriated revenue. No match is required and no future obligation or ongoing maintenance is required.

Analyst: Baltiero

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Bill Type and Number: Ordinance 2019-0467

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: June 24, 2019

Type of Action: Amending *Ordinance Code*

Bill Summary: This bill amends Section 609.104 (Procedures), Chapter 609 (Code Enforcement Citation), *Ordinance Code*, to provide that a copy of a notice of violation is provided to a commercial property owner along with the tenant or lessee where the tenant or lessee has committed a civil infraction.

Background Information: If a Code Enforcement Officer has to provide a citation for a civil infraction, the notice is issued to the tenant or lessee of the property. Currently, no official notification regarding a civil infringement on a property is provided directly to the owner. This legislation requires the civil infraction notification letter to be provided to the property owner in the same method as the original notice to the individual that committed the violation. The courtesy notice is provided to the property owner for informational purposes. It does not offer any additional rights, and the failure to receive the courtesy notice does not afford the property owner the ability to acquire a defense or other rights to the individual that committed the civil infraction.

Policy Impact Area: Civil infractions, notice of violation, code enforcement

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2019-0468

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

Date of Introduction: June 25, 2019

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

Date of Analysis: June 27, 2019

Type of Action: Authorization to administratively execute development agreement

Bill Summary: The bill authorizes the execution by the Mayor and/or his designee of a development agreement between the City of Jacksonville and the developer, Southern Baptist Hospital of Florida, for the reconstruction of Palm Avenue located between Gary Street and Prudential Drive. The reconstruction will increase the width of Palm Avenue from 60 feet to 100 feet. Oversight will be provided by the Engineering and Construction Management Division of the Public Works Department.

Background Information: Baptist hospital has constructed a new parking garage and by previous legislation the city approved construction of a pedestrian walkway over Palm Avenue to connect the parking garage with the rest of the hospital campus. The Palm Avenue improvement serves a public purpose by meeting infrastructure and public safety needs. FY 18/19 CIP already has plans for the improvements of Palm Avenue in the amount of \$480,000. Future funding for this project is from FY 19/20 and FY 20/21 for the amount of \$2,210,000 for each FY. The overall proposed funding for this project is \$4,900,000. The developer understands that future year appropriations are subject to City Council appropriations each FY and that there is no guaranteed funding appropriated.

Policy Impact Area: Roadways in the San Marco area of District 5

Fiscal Impact: There is no appropriation of funds for this agreement.

Analyst: Baltiero

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Bill Type and Number: 2019-469

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: June 25, 2019

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

Date of Analysis: June 24, 2019

Type of Action: Appropriation, designation of oversight agency

Bill Summary: This bill is an appropriation of \$1,600,000 from the Tree Protection and Related Expenses Trust Fund, Subfund 15F, for the 630-CITY Tree Planting Program, administered by the Department of Public Works. The Tree Protection and Related Expenses Trust Fund currently contains approximately \$25,000,000.

Background Information: The purpose of this legislation is to provide funds to plant trees within public rights-of-way in Duval County in locations where adjacent property owners have requested trees through 630-CITY. The Tree Commission established the Level 1 Tree Planting Program, also referred to as the 630-CITY Tree Planting Program, which allows citizens to request up to two trees per year to be planted on City right-of-way adjacent to their property. To date, there have been a total of 900 requests, with one or two trees per request, with a cost of \$1,100 to \$1,500 per tree. Upon request, the Department of Public Works may use Subfund 15F to install either one or two trees approved in accordance with the "Tree Commission Approved Tree Planting List". The location and tree species must be approved by a City Arborist.

Policy Impact Area: 630-CITY Tree Planting Program

Fiscal Impact: \$1,600,000

Analyst: Hampsey

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Bill Type and Number: Resolution 2019-470

Sponsor: Introduced by Council President Bowman

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS

Date of Analysis: June 24, 2019

Type of Action: Amendment to Ordinance Code

Bill Summary: This bill allows for the Council President to appoint additional members annually to serve as non-voting liaisons on the Safety and Crime Reduction Commission.

Background Information: The Commission has six additional non-voting liaisons which are designated based on category. This amendment allows for more to be added at the Council President's discretion. The non-voting liaisons will be able to lend their expertise to the work of the Commission, but will not be subject to the provisions of the Government in the Sunshine Law that could restrict their ability to communicate in the course of their day-to-day responsibilities.

Policy Impact Area: Allows for more liaisons

Fiscal Impact: No known fiscal impact

Analyst: Distel

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Bill Type and Number: Ordinance 2019-471

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

Date of Introduction: June 25, 2019

Committee(s) of Reference: F

Date of Analysis: June 27, 2019

Type of Action: Amendment of economic development agreement; designation of oversight agency

Bill Summary: The bill authorizes the execution of an amended economic development agreement between the City and Fanatics, Inc. to eliminate the Qualified Targeted Industry (QTI) incentive and to permit the company to receive a portion of the Recapture Enhanced Value (REV) grant for capital investments at a location other than the site originally proposed. The bill designates the Office of Economic Development as the City's oversight agency for the agreement.

Background Information: In 2015 the City entered into an economic development agreement with Fanatics, Inc., a world leader in the production of officially licensed sports apparel and other merchandise for professional sports leagues and more than 200 colleges. The agreement required the company to retain 400 permanent jobs and create 80 new jobs with an average annual salary of \$85,808 by December 31, 2019. The City also granted a 50% REV Grant of up to \$300,000, payable over 7 years, for capital improvements valued at \$10 million at 8100 Nations Way and 6800 Southpoint Parkway. The company has made \$9.82 million in capital improvements, but some improvements were made to a building on Financial Way instead of Southpoint Parkway, so no REV grant payments have been made to date. The company has also decided not to participate in the QTI program. This bill amends the economic development agreement to change the location of a portion of the capital improvements qualifying for the REV grant from Southpoint Parkway to Financial Way and extends the payout period from 5 to 6 years, still with the \$300,000 cap. It also removes all references to the QTI program and incentives from the agreement.

Policy Impact Area: Economic development

Fiscal Impact: The bill authorizes the payment of the \$300,000 REV grant for improvements made at a location not listed in the original agreement and extends the payment period for one year. It removes the City's commitment to a \$240,000 QTI local match.

Analyst: Clements

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Bill Type and Number: Ordinance 2019-0472

Introducer/Sponsor(s): Council Member Hazouri

Date of Introduction: June 25, 2019

Committee(s) of Reference: TEU, F

Date of Analysis: June 24, 2019

Type of Action: Declaration of surplus and authorization of a title transfer regarding city vehicles

Bill Summary: This bill authorizes the appropriate officials of the City of Jacksonville to transfer the titles of listed surplus property to Nassau County School Board, for the use of its vehicles, at no cost, in accordance with Section 122.812(C), *Ordinance Code*; designates the Fleet Management Division of the Finance and Administration Department to monitor actual use of said property; and provides for a reverter. The listed vehicles are:

- 2010 CHEVROLET IMPALA (VIN 2G1WA5EK2A1199839, VEHICLE NUMBER 8103-20) VALUED AT \$4,875,
- 2010 CHEVROLET IMPALA (VIN 2G1WD5EM6A1232110, VEHICLE NUMBER 209-30) VALUED AT \$4,500,
- 2011 CHEVROLET IMPALA (VIN 2G1WD5EMXB1189974, VEHICLE NUMBER 169-30) VALUED AT \$5,300,
- 2011 CHEVROLET IMPALA (VIN 2G1WD5EM4B1185838, VEHICLE NUMBER 185-40) VALUED AT \$4,750,
- 2012 CHEVROLET CAPRICE (VIN 6G1MK5U3XCL638817, VEHICLE NUMBER 1010-30) VALUED AT \$8,325, and
- 2012 CHEVROLET IMPALA (VIN 2G1WD5E33C1197441, VEHICLE NUMBER 4797-20) VALUED AT \$4,825

Background Information: A valid public purpose must accompany the use and transfer of City property. This bill states that the Nassau County School Board will utilize the vehicles as part of the school district's police program. This use is deemed a valid public purpose. The Nassau County School Board agrees to convey the cars back to the City if they no longer are used for the intended purposes.

Policy Impact Area: Nassau County School Board, Fleet management, vehicle surplus, reverter provision

Fiscal Impact: The surplus value of the six (6) vehicles is \$32,575, which the City is foregoing by not selling them at auction.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2019-0473

Introducer/Sponsor(s): Council Member Ferraro

Date of Introduction: June 25, 2019

Committee(s) of Reference: TEU, F

Date of Analysis: June 24, 2019

Type of Action: Declaration of surplus and authorization of a title transfer regarding a city vehicle

Bill Summary: This bill authorizes the appropriate officials to execute an Agreement between Families of Slain Children of Jacksonville, Florida, Inc., and the City of Jacksonville for surplus and the title transfer of a 2001 Chevrolet G3500 Van, at no cost, in accordance with Section 122.812(C), *Ordinance Code*; designates the Fleet Management Division of the Finance and Administration Department to monitor actual use of said property; and provides for a reverter.

Background Information: A valid public purpose must accompany the use and transfer of City property. Families of Slain Children of Jacksonville, Inc., needs the van as a transport vehicle to assist in providing transportation of kids to and from programs and other scheduled trips. This use is deemed a valid public purpose. The Families of Slain Children of Jacksonville agrees to convey the van back to the City if it is no longer used for the intended purposes. The vehicle (VIN# 1GAHG39R411167225, vehicle number 8056-10) is valued at \$5,625.

Policy Impact Area: Families of Slain Children of Jacksonville, Fleet management, vehicle surplus, reverter provision

Fiscal Impact: The surplus value of the van is \$5625, which the City is foregoing by not selling it at auction.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2019-474

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

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: June 27, 2019

Type of Action: Authorization to execute Interlocal agreement; authorizing employee positions

Bill Summary: The bill authorizes execution of an interlocal agreement between the City of Jacksonville and the City of Jacksonville Beach for Jacksonville to take over operation of fire and rescue services in Jacksonville Beach. It authorizes the addition of 28 employee positions in the Fire and Rescue Department to provide the service.

Background Information: The agreement provides that the City of Jacksonville shall provide 24/7 fire and rescue service within the City of Jacksonville Beach. It provides that the existing Jacksonville Beach fire trucks shall be conveyed to Jacksonville. Jacksonville will utilize Jacksonville Beach's two existing fire stations and will provide all upkeep and maintenance to the buildings and interior facilities; Jacksonville Beach will continue to maintain the landscaping around the stations. The term of the agreement is 20 years, with either party having the right to withdraw from the agreement by giving 2 years' written notice to the other party. Jacksonville Beach agrees to pay \$2.2 million for the first year of service, with that amount increasing annually by the greater of 2.5% or the Consumer Price Index. It provides that the current Jacksonville Beach Fire Department employees shall become of the City of Jacksonville's Fire and Rescue Department provided all certifications and requirements of state law for firefighters are met. The bill creates 28 new positions in the JFRD budget (18 firefighters, 10 engineers) to accommodate the hiring of those employees.

Policy Impact Area: Fire protection services

Fiscal Impact: Jacksonville Beach will pay Jacksonville \$2.22 million for the first year of service, with that amount increasing annually by the greater of 2.5% or the Consumer Price Index. A "white paper" prepared by the Jacksonville Fire and Rescue Department calculates the first-year cost of service to JFRD at \$3.55 million; the \$1.33 million differential is proposed to be absorbed in the JFRD budget in year one of the service.

Analyst: Clements

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Bill Type and Number: 2019-475

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

Date of Introduction: June 25, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: June 24, 2019

Type of Action: Agreement authorization, designation of oversight agency

Bill Summary: This bill authorizes the sale and purchase agreement between the City of Jacksonville and Janice R. Nelson for property acquired for the location of Fire Station 36. The Purchase and Sale Agreement requires no deposit from the City, provides the City with a 120 day due diligence period, and allows the City to terminate the Purchase and Sale Agreement in its sole discretion without penalty during the due diligence period. Closing will take place within 30 days after the expiration or waiver of the due diligence period. The Real Estate Division of the Department of Public Works will provide oversight.

Background Information: The purpose of this legislation is to authorize the purchase of property on Edgewood Avenue West, which is approximately 2.64 acres and which has an appraised value and negotiated purchase price of \$357,000. The agreement may be modified to accommodate "technical changes" which have no financial impact to the City, such as changes in legal descriptions or surveys, ingress and egress, easements and rights of way, design standards, access and site plan, resolution of title defects, if any.

Policy Impact Area: New Fire Station 36

Fiscal Impact: \$357,000 from Fire Station #36 Land PW0371-02

Analyst: Hampsey

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Bill Type and Number: Resolution 2019-0476

Introducer/Sponsor(s): Council Member Dennis

Date of Introduction: June 25, 2019

Committee(s) of Reference: R

Date of Analysis: June 27, 2019

Type of Action: Creation of a Committee

Bill Summary: Bill creates a Census 2020 Complete Count Committee to plan and conduct local educational initiatives, publicity & promotional activities to increase community awareness and participation in the 2020 Census. The purpose of a Complete Count Committee would be to advise and assist Duval County and the City of Jacksonville in obtaining the most accurate and complete population count for Census 2020 by increasing the number of County responses through a focused, structured neighbor-to-neighbor program.

Background Information: An accurate census is essential for the allocation of representatives to serve in the legislative bodies of the U.S. House of Representatives, the Florida Legislature, and within the City of Jacksonville and Duval County voting districts. Accurate census information is critical to planning for future growth, development, and the social needs of Duval County and the more informed that residents become about the 2020 census operations, the better their understanding of the census process becomes, increasing their willingness participate in the 2020 Census.

Policy Impact Area: Census 2020 participation, city committees, government representation and redistricting

Fiscal Impact: Minimal cost anticipated for promotional materials

Analyst: Baltiero

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Bill Type and Number: Resolution 2019-482

Sponsor: Introduced by Council Member Gulliford

Date of Introduction: June 25, 2019

Committee(s) of Reference: R

Date of Analysis: June 26, 2019

Type of Action: Amendment to Ordinance Code

Bill Summary: This bill confirms the Mayor's appointment of Dr. Huson Gilberstadt, as a member of the Opioid Abuse Prevention Committee, as a Medical Professional, Emergency Department Representative for an initial term ending September 30, 2022.

Background Information: Chapter 84, Part 2, *Ordinance Code*, establishes the Opioid Abuse Prevention Committee. Sec. 84.202, *Ordinance Code*, provides that the Committee shall consist of nine members to be appointed by the Mayor, subject to confirmation of the Council.

Dr. Gilberstadt is the Chief Clinical Officer for the Ascension Florida Marketplace. Previously, Dr. Gilberstadt was in the dual role of Chief Clinical Officer for St. Vincent's HealthCare and President of St. Vincent's Riverside. He resides within Duval County.

Policy Impact Area: Opioid Abuse Prevention Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Distel