

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2007-741

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Richard A. Mullaney as General Counsel effective July 1, 2003.

Background Information: Per Sec. 7.203, *Charter*, the General Counsel must be licensed to practice law in the State of Florida and have at least 5 years' experience in the practice of law. Mr. Mullaney received a law degree from the University of Florida and has served as General Counsel for the City of Jacksonville since his appointment in 1997. Per the *Charter*, the term of the General Counsel coincides with the term of the Mayor.

Policy Impact Area: Office of General Counsel operations

Fiscal Impact: The salary range for this position is \$148,114 - \$236,983 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-742

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

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 29, 2007

Type of Action: Authorization for Eminent Domain Proceedings

Bill Summary: This legislation declares the public necessity for acquiring fee simple title, perpetual easements for drainage purposes and temporary construction easement rights through condemnation by right of eminent domain in certain lands in Council District 12 for improvements to Crystal Springs Road as part of the Better Jacksonville Plan II Project. The bill authorizes and directs the Office of General Counsel to initiate appropriate condemnation proceedings.

Background Information: This legislation authorizes eminent domain proceedings that will enable the City to acquire 77 parcels for road improvements on Crystal Springs Road, Hammond Boulevard and Ramona Boulevard as part of the Better Jacksonville Plan.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-743

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

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 29, 2007

Type of Action: Subordination Agreement Authorization

Bill Summary: This ordinance authorizes the City to execute a Subordination Agreement in connection with a loan in the principal amount of \$1,375,000 made to Vestcor Fund XXII, LTD, initially authorized pursuant to the terms and conditions of Ordinance 2002-174-E, and modified by Ordinance 2002-579-E. The loan was for the Gregory Cove Apartments project, a 288 unit affordable housing development in Arlington, Council District 1. This legislation allows the subordination of the Jacksonville Housing Finance Authority mortgage to the permanent financing provided by Bridger Commercial Funding, LLC.

Background Information: The Gregory Cove Apartments affordable housing complex is located on Edenfield Road. The housing project is a part of the City's efforts to comply with the Department of Justice's consent decree on Fair Housing.

Policy Impact: Affordable Housing/Housing & Neighborhoods Department/Housing Tax Credit Multi-Family Rental Revolving Fund

Fiscal Impact: The original loan in the amount of \$1,375,000 remains intact.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-746

Sponsor: Council Member W. Jones

Date of Introduction: June 26, 2007

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

Date of Analysis: June 28, 2007

Type of Action: Appropriation; Ordinance Code waiver; authorization to execute documents

Bill Summary: The bill appropriates \$48,140 from a Public Works Department capital account to fund the design and engineering costs of revitalizing a former church property into a community center in North Riverside. The bill requires the North Riverside Community Development Corporation, the project developer, to comply with certain requirements of the City Public Service Grant code (release and auditing of funds, administration of funds, liability for misuse, allowability and review of expenses) and exempts compliance with others; authorizes the execution of appropriate documents in connection with the project; and designates the Public Works Department as the project oversight agency.

Background Information: The North Riverside CDC proposes to renovate the former Our Lady of the Angels church property at Edison Avenue and Crystal Street into a community center with meeting rooms, tutoring space, a kitchen, and offices. The City appropriated \$43,320 earlier this year to stabilize and secure the property while the plan for its redevelopment is being prepared.

Policy Impact Area: Community revitalization

Fiscal Impact: The bill appropriates \$48,140 from a Public Works Department capital account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-747

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

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; TEUS

Date of Analysis: June 29, 2007

Type of Action: Appropriation De-Authorization; CIP Amendment

Bill Summary: This bill rescinds Ordinance 2003-851-E and de-authorizes an appropriation of \$429,304 from the Florida Department of Environmental Protection to the City of Jacksonville to fund monitoring of alternate stormwater best management practices, as initiated by B.T. 07-157. The bill amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, for the "Environmental Protection Agency Grant" project to remove the project.

Background Information: The Florida Department of Environmental Protection terminated the agreement between the City and FDEP by memorandum of July 14, 2004 for stormwater quality monitoring of sediment because the project could not be completed before the grant expiration date.

Policy Impact: Public Works

Fiscal Impact: The bill rescinds a previously enacted ordinance that appropriated a \$429,304 grant from the State of Florida Department of Environmental Protection.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-748

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, TEUS

Date of Analysis: June 28, 2007

Type of Action: De-authorization of previous appropriation; CIP amendment

Bill Summary: The bill de-authorizes a previous appropriation of \$495,654 of Florida Department of Transportation grant funds for the landscaping of Main Street from State Street to First Street, and amends the 2006-11 Capital Improvement Program to delete the project and funding from the CIP.

Background Information: The City received FDOT grant funding in 2003 for the streetscaping of Main Street from State to First Streets as part of the larger FDOT grant package. The estimated costs for this particular streetscaping project exceeded the grant amount received, and the City did not identify a funding source for project design or for the anticipated cost increase over the grant amount. As a result of inactivity on this project, the FDOT has rescinded the grant. This bill de-authorizes the project from the City's books.

Policy Impact Area: Roadway improvement

Fiscal Impact: The bill de-authorizes a rescinded FDOT grant of \$495,654.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-749

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, TEUS

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$33,652 to retrofit nine Fire & Rescue Stations with aluminum storm shutters.

Background Information: To decrease the vulnerability of nine Jacksonville Fire & Rescue fire stations to property losses caused by high winds and rain by retrofitting the stations with aluminum storm shutters, the appropriation of \$33,652 (\$25,484 FEMA Grant & \$8,168 Reserve for Federal Program) has been assigned. This money was appropriated in the 06-07 fiscal year budget under B.T. 07-159 for this exact amount.

Policy Impact Area: Public safety improvement

Fiscal Impact: \$33,652 (\$25,484 FEMA Grant & \$8,168 Reserve for Federal Program)

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-750

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: Appropriating \$17,500 from Self Insurance-Internal Service Funds to Group Health-Internal Service Funds.

Background Information: In order to move the waiver of premium liability to the proper subfund, \$17,500 will be appropriated from Self Insurance-Internal Service Funds to Group Health-Internal Service Funds. The sum amount represents life insurance due to the beneficiaries of four former employees who retired under disability, in which Group Health-Internal Service Funds is the correct subfund to appropriate this money. This appropriation is in compliance with the 06-07 budget under B.T. 07-150.

Policy Impact Area: Group Health-Internal Service Fund

Fiscal Impact: Reappropriation of \$17,500 to correct account

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-751

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

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

Date of Analysis: June 28, 2007

Type of Action: Appropriation/Agreement Authorization/Exemption

Bill Summary: This bill appropriates \$165,000 (\$162,036.09 from the Duval County Alcohol and Other Drug Abuse Trust Fund and \$2,963.91 from Investment Pool Earnings associated with the trust fund) to assist River Region Human Services, Inc., with the costs of renovations to its substance abuse treatment facilities at 1440 Jefferson Street, 2981 Parental Home Road, and 390 Park Street. Provision is made for the carryover of appropriated funds to the 2007-2008 fiscal year. The Mayor, or designee, and Corporation Secretary are authorized to execute an agreement and other necessary documents, and take further action, to effectuate the purposes of this ordinance. As provided in the Ordinance Code, exemptions from competitive bidding for supplies and services are being utilized. The Dept. of Community Services is required to oversee the projects.

Background Information: River Region Human Services, Inc., is a not-for-profit corporation which provides comprehensive substance abuse treatment, intervention, prevention, mental health, and HIV/AIDS services to people living in Duval and surrounding counties. In this capacity, it is a provider of supportive transitional housing for Duval County citizens who are recovering from alcoholism and other drug addiction. A building located at 1440 Jefferson Street is being renovated (inclusive of interior and exterior repairs, painting, and furniture) in order to provide housing for persons living with HIV/AIDS who are also substance abusers. River Region plans to move its current HIV/AIDS living facility from St. John's Horizon House to this location as it is closer to the HIV/AIDS clinic and Shands Hospital, providing easier access to healthcare services. The general functionality of the buildings located at 2981 Parental Home Road and 390 Park Street is being enhanced (inclusive of repairs, equipment, and furniture) to better serve clients living at those facilities and/or coming in for outpatient services. Subsections 126.107 (c) and (e), Ordinance Code, provide competitive bidding exemptions for certain health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration, and for certain prevention services related to mental health, including drug abuse prevention programs.

Policy Impact Area: Community Services

Fiscal Impact: \$165,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-752

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, TEUS

Date of Analysis: June 28, 2007

Type of Action: Amendment to "2nd gas tax" program

Bill Summary: The bill amends previous Ordinance 2006-790-E, the annual plan for expenditure of the state-shared "second gas tax" funds, to reappropriate \$2,000,000 from the County Access Way Construction account to the Periodic Maintenance account to address unanticipated shortfalls in the countywide periodic maintenance account.

Background Information: The "second gas tax" fund is the City's share of the 5th and 6th cents of the statewide gas tax collected by the state and rebated to the county of collection. The County Access Way program provides funding for City maintenance of dirt roads that, while lacking the physical requirements (right-of-way width, improved surface, appropriate drainage, etc.) to be accepted and maintained as full-fledged city streets, nevertheless were used as public streets by the general public and the City prior to April 1975 and were donated to the City under the County Access Way program between 1975 and 1997.

Policy Impact Area: Roadway maintenance

Fiscal Impact: The bill reappropriates \$2,000,000 from the County Access Way fund to the countywide Periodic Maintenance fund

Analyst: Clements

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Bill Type and Number: Ordinance 2007-753

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$368,504.83 from HOME program income from interest and investment accounts to provide funding for the HOME Headstart to Home Ownership Program. Provision is made for the carryover of appropriated funds to the 2007-2008 fiscal year.

Background Information: The Headstart to Home Ownership Program provides financial assistance to individuals and families of low to moderate income who are purchasing homes in Duval County. It is administered by the Housing Services Division of the Housing and Neighborhoods Dept.

Policy Impact Area: Affordable Housing; Housing Services

Fiscal Impact: \$368,504.83 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-754

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$10,000 from a Neighborhood Services Division Miscellaneous Appropriations account to a Parks, Recreation, Entertainment, and Conservation Dept. Salaries and Overtime account to provide funding for a series of events and activities at locations within the Seeds of Change pilot areas.

Background Information: Plans are for the events to be held at Bruce Park and Justina Park in Historic Arlington, and Clanzel Brown Park, Simonds-Johnson Park, and Carvill Park in Northwest Jacksonville.

Policy Impact Area: Recreation and Parks; Neighborhood Services

Fiscal Impact: \$10,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-755

Sponsor: Council Member Yates

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation; CIP amendment; carryover and reverter provisions

Bill Summary: The bill appropriates \$111,240 from the Tree Protection and Related Expenses Trust Fund to the Public Works Department to fund landscaping in the Myrtle Avenue Town Center district. The bill also amends the 2006-11 Capital Improvement Program to increase the Myrtle Avenue Town Center project amount to incorporate the landscaping element. The bill provides that the funds carry over to the 2007-08 fiscal year if not expended in the current year, and that the funds revert to the Tree Protection Trust Fund if not expended for the project as contemplated in this ordinance.

Background Information: The landscaping project will install 79 live oak trees, 29 Drake elms, and 7,130 square yards of sod in the project area on Myrtle Avenue. The appropriation also includes \$13,200 for landscape architect fees.

Policy Impact Area: Neighborhood beautification

Fiscal Impact: The bill appropriates \$111,240 from the Tree Protection and Related Expenses trust fund

Analyst: Clements

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Bill Type and Number: Ordinance 2007-756

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 28, 2007

Type of Action: Declaration of Surplus

Bill Summary: Part of R.E. Number 057179-0000 is deemed surplus to the needs of the city and its sale is authorized. The mayor and the corporation secretary are authorized to execute any and all documents associated with the sale.

Background Information: Part of R.E. number 057179-0000, located on Fitzgerald Street near the intersection of Fitzgerald Street and Nelson Street, in Council District 9, has been declared a surplus. This declaration is in accordance with the provisions of Part 4, Chapter 122, *Ordinance Code*, declaring part of R.E. Number 057179-0000 as surplus.

Policy Impact Area: Surplus property disposal

Fiscal Impact: Undetermined

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-757

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

Date of Introduction: June 26, 2007

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

Date of Analysis: June 29, 2007

Type of Action: Surplus Declaration; Conveyance; Ordinance Code Waiver

Bill Summary: This ordinance declares that R.E. Number 990112-0000 and R. E. Number 009113-0000, located on Herlong Road, near its intersection with Normandy Boulevard in Jacksonville Heights, in Council District 12, to be surplus to the needs of the City. The bill waives provisions of Chapter 122 (Public Property), Part 4 (Real Property), providing for public bidding. The bill authorizes the Mayor and Corporation Secretary to execute all necessary documents to convey the property to Ziadeh J. Farhat and Jannett Z. Farhat, for the assessed value of \$2,112.00. The City retains a drainage easement over the property.

Background Information: Mr. and Mrs. Farhaat are adjacent property owners and contemplate developing the area.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The City is conveying real property at the assessed value of \$2,112.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-758

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 28, 2007

Type of Action: Closing & Abandoning Portion of Jeana Street

Bill Summary: The bill authorizes the closing & abandoning of a portion of Jeana Street, a 50' opened & improved right-of-way near the I-10 Eastbound entrance ramp from Chaffee Road, at request of Timothy & Dana Farris, to provide better security to property.

Background Information: A portion of Jeana Street, a 50 foot opened and improved right-of-way created by Plat of White City, as recorded in Plat Book 5, Pages 70 and 70A, of the current public records of Duval County, Florida, near the Chaffee Road entrance ramp onto Interstate 10, in Council District 12, is closed and abandoned, and/or disclaimed, as a right-of-way provided, however, there is hereby reserved unto the City of Jacksonville a perpetual unobstructed easement on, over, across, under and through the closed portion of Jeana Street for all utilities, including, but not limited to, water, sewer, electric and drainage. A \$1,500 closure application fee has been paid. This request was routed to government agencies and any objections have been resolved.

Policy Impact Area: Right-of-way closure

Fiscal Impact: Undetermined

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-759

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 28, 2007

Type of Action: Road Closure

Bill Summary: This bill closes, abandons, and/or disclaims a portion of Leahy Road between Cortez Road and St. Johns Bluff Road South.

Background Information: This portion of Leahy Road is a 60-foot opened and unimproved right-of-way. Applicant for the closure is J and C Investments of Miami, Inc., and the request has been made to allow for consolidation of properties for residential development. The \$1,500 closure application fee has been paid, and any objections from governmental agencies have been resolved.

Policy Impact Area: Real Estate-Street Closures

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-760

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 28, 2007

Type of Action: Closure of Drainage Easements

Bill Summary: This bill closes, abandons, and/or disclaims as drainage easements a portion of Stormwater Management Facility Number 1 and a portion of Stormwater Management Facility Number 2.

Background Information: Said closures are located in the vicinity of Town Center Parkway and Gate Parkway. The applicant is Chester Skinner, and the request has been made to vacate portions of these two drainage easements to allow for development, building construction, and pond realignment. A \$500 closure application fee has been paid, and any objections from governmental agencies have been resolved.

Policy Impact Area: Real Estate-Easement Closures; Stormwater Management

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-761

Sponsor: Council President at the Request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS

Date of Analysis: June 28, 2007

Type of Action: Right-of-Way Closure

Bill Summary: This bill closes, abandons, and/or disclaims as a right-of-way a portion of Florida Avenue located between East 21st Street and Martin Luther King, Jr., Expressway, subject to the reservation of a perpetual unobstructed easement for all utilities, including water, sewer, electric, and drainage.

Background Information: This portion of Florida Avenue is an opened and improved right-of-way created by plat. Applicant for the closure is Jeffery Campbell, and the request has been made to allow for better security and maintenance of the area. A \$1,400 closure application fee has been paid, and any objections from governmental agencies have been resolved.

Policy Impact Area: Real Estate-Closures; Streets and Drainage

Fiscal Impact: Undetermined; a \$1,400 closure application fee has been paid

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-2007-762

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

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS; ECID

Date of Analysis: June 29, 2007

Type of Action: Conveyance Authorization

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to convey, by quitclaim, R. E. Number 000378-0000, a right-of-way, to the Town of Baldwin, at no cost, subject to the reservation of an all utilities easement over the right-of-way.

Background Information: The right-of-way is located near the intersection of May Street West and Chestnut Street North, in Council District 11.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-763

Sponsor: Council Member Lockett-Felder:

Date of Introduction: June 26, 2007

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

Date of Analysis: June 29, 2007

Type of Action: Appropriation; Ordinance Code Waiver

Bill Summary: This ordinance appropriates \$16,561.00 Better Jacksonville Plan Council District 7 Bond funds to provide funding to the Boys and Girls Club of Northeast Florida, Inc. to provide needed capital improvements. Funds not used will revert back to the account of origin. The bill waives the requirements of the Bond Ordinance stipulating that bonds be used on public property and waives the requirement of compliance with Chapter 118, Parts 1, 3, 4 and 5, *ORDINANCE CODE*. The bill provides that payment is on a reimbursement basis only and requests that the Mayor appoint a department to oversee the project.

Background Information: The Boys and Girls Club is located at 313 East 10th Street, in Council District 7. Repair work includes the installation of light fixtures, power washing, painting exterior walls and cutting limbs and removing debris.

Policy Impact: District Bond Funds/Parks, Recreation, Entertainment & Conservation Department

Fiscal Impact: The bill appropriates \$16,561.00

Analyst: Jackson

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Bill Type and Number: Resolution 2007-764

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Arthur Graham as a member of the First Coast Metropolitan Planning Organization (MPO), replacing Lake Ray for a four-year term beginning July 1, 2007, and ending June 30, 2011.

Background Information: The membership apportionment plan of the MPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board.

Policy Impact Area: First Coast Metropolitan Planning Organization operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Resolution 2007-765

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Michael Corrigan as a member of the First Coast Metropolitan Planning Organization (MPO), replacing Warren Alvarez for a four-year term beginning July 1, 2007, and ending June 30, 2011.

Background Information: The membership apportionment plan of the MPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board.

Policy Impact Area: First Coast Metropolitan Planning Organization operations

Fiscal Impact: None

Analyst: Welsh

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Bill Type and Number: Resolution 2007-766

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Stephen Joost as a member of the First Coast Metropolitan Planning Organization (MPO), replacing Lad Daniels for a four-year term beginning July 1, 2007, and ending June 30, 2011.

Background Information: The membership apportionment plan of the MPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board. This appointment to the MPO will coincide with Mr. Joost's first term on the City Council.

Policy Impact Area: First Coast Metropolitan Planning Organization operations

Fiscal Impact: None

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-767

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 28, 2007

Type of Action: Assignment of property purchase and sale agreement; appropriation; CIP amendment

Bill Summary: The bill authorizes the administration to execute an "assignment of option" agreement with Preservation North Florida, Inc. for the City to acquire a 50% interest in an approximately 4.2 acre parcel of property known as the Spencer Tract on Cedar Point Road in the Pumpkin Hill area of Council District 11 for \$370,000, plus closing costs of \$25,000. The bill also amends the 2006-11 Capital Improvement Program to add a project entitled "Preservation Project - Spencer Tract", and appropriates \$395,000 from the Jacksonville Land Acquisition Trust Fund (\$300,000) and two Parks and Recreation Department capital projects funds (\$95,000). The acquisition is contingent upon receipt of an acceptable appraisal, environmental site assessment, survey, and title report. Any excess funds remaining after the transaction, or if the transaction should not be completed, shall revert to the accounts from which they were appropriated.

Background Information: The Spencer Tract lies in the Pumpkin Hill Creek watershed and its acquisition will help further the aims of the Preservation Project by protecting the pristine area from development and expanding the holdings of the Timucuan Ecological and Historical Preserve.

Policy Impact Area: Preservation land acquisition

Fiscal Impact: The bill appropriates \$395,000 from the Jacksonville Land Acquisition Trust Fund (\$300,000) and two Parks and Recreation Department capital projects funds (\$95,000)

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2007-768

Sponsor: LUZ Committee

Date of Introduction: June 26, 2007

Committee(s) of Reference: LUZ

Date of Analysis: June 28, 2007

Type of Action: Amendment to DRI development order; finding of no substantial deviation

Bill Summary: The bill amends the Nocatee DRI Development Order to make several changes in both the Jacksonville and St. Johns County portions of the proposed development, and finds that the proposed changes do not constitute a substantial deviation from the DRI development order. One amendment specific to the Jacksonville side of the development changes the timing of the development of the required 21 acres of park lands from the current 7 acres by the end of Phase I (October 2008) and an additional 14 acres by the end of Phase II of the project to 2 acres by the end of Phase I and 19 additional acres by the end of Phase II. Additionally, the amendment would tie the development of parkland specifically to the development of residential properties and permit non-residential development to continue from one phase to the next regardless of the status of park construction.

The second Jacksonville-specific amendment would shift the development of 6.5 acres and 60,000 square feet of office space from Phase V to Phase IV. The timing of the payment of traffic mitigation fees is not affected, as the DRI currently provides that the exact timing of the traffic mitigation for Phases IV and V remains to be determined at a later date.

The other amendments would permit the Nocatee developer to continue development beyond Phase II into Phases III, IV and V despite the fact that construction of an extension of Racetrack Road between U.S. 1 and New County Road 210 will not be complete by the end of Phase II as required, provided adequate financial assurances of eventual completion are made, and would extend the deadlines related to the widening of existing County Road 210 from the Intracoastal Waterway Bridge to Mickler Road from 2008 to 2012.

Background Information: The developer requests the changes to the parkland development schedule to specify that the parkland development requirement is related to the development of residential, not commercial properties, and to delay the construction requirement in recognition of the fact that no vertical development has taken place in the Jacksonville portion of Nocatee as of yet. The existing County Road 210 widening delay is reported to be at the request of St. Johns County and is related to right-of-way acquisition delays. The Racetrack Road extension is contemplated to possibly be constructed by a Community Development District which can provide satisfactory assurances to the City (possibly in the form of bonding capacity) that the road will be completed.

Policy Impact Area: DRI amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2007-769

Sponsor: Council Member Hyde

Date of Introduction: June 26, 2007

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

Date of Analysis: June 28, 2007

Type of Action: Authorization to amend prior agreement

Bill Summary: This approves and authorizes the Mayor and Corporation Secretary to execute Amendment Number 1, an agreement between City of Jacksonville and Youth Crisis Center Inc. extending the date of completion for construction. Also, requesting emergency passage.

Background Information: Passage executes the extension of completion for construction to New Life Village until July 30, 2009. Emergency passage is requested because Amendment Number 1 to the agreement makes a correction to the recently enacted contract passed by this Council in Ordinance 2007-500-E. Amendment Number 1 clarifies the timing of the expenditures of funds.

Policy Impact Area: Contract amendment

Fiscal Impact: \$119,900 was contributed from the City, and at the time of date completion, July 30, 2007, any unspent funds will be immediately returned to the City.

Analyst: Stewart

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2007-770

Sponsor: Council Member Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 28, 2007

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 602.1001, Ordinance Code, to require that every elected official attend an Ethics in Government Program within 90 days of certification of each election won.

Background Information: The current provision requires such program attendance within 90 days of taking office.

Policy Impact Area: Ethics Education

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-771

Sponsor: Council Member Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation/Waiver

Bill Summary: This bill appropriates \$25,000 from a Council District 14 Excise Taxes Revenue Bond account to provide funding for improvements to the John Stockton Elementary School Park. Requirements that bond funds be used on City property, and open to the public, are waived.

Background Information: The park is located at 4827 Carlisle Road. The improvements include installation of play equipment and woodcarpet mulch. The provisions being waived are found in Ordinances 2004-998-E and 2005-1044-E relative to the Autumn Bonds, and in Section 106.315, Ordinance Code.

Policy Impact Area: Parks and Recreation; Council Bond Funds

Fiscal Impact: \$25,000 is appropriated by this ordinance

Analyst: Campbell

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-772

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: This authorizes the appropriation of \$40,000 from Tree Mitigation & Related Expense - Charter for a Tree Canopy Study and provides oversight by Public Works Department.

Background Information: The purpose of this appropriation is to provide funds for a tree canopy study in the Riverside/Avondale area to identify dead, diseased and dangerous trees on City property or rights-of-way for removal and replacement. The Mayor is requested to appoint the Department of Public Works (or its successor) to insure compliance with the agreement and all other appropriate laws. The Department will work with Davey Resource Group during the project, the City contract number is SC-0535-06.

Policy Impact Area: Riverside/Avondale tree canopy preservation

Fiscal Impact: \$40,000 from Tree Mitigation & Related Expenses Trust Fund

Analyst: Stewart

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Bill Type and Number: Ordinance 2007-773

Sponsor: Council Member Davis

Date of Introduction: June 26, 2007

Committee(s) of Reference: F, ECID

Date of Analysis: June 28, 2007

Type of Action: Appropriation

Bill Summary: This authorizes the appropriation of \$23,485 from Tree Protection Trust Fund for Tree Planting at Westridge Park. Also provides oversight by Parks, Recreation, Entertainment, and Conservation.

Background Information: The purpose of this appropriation is to provide funding for tree planting and irrigation at Westridge Park, located at 2301 Maple Grove Road in Council District 12, and any unused funds shall revert to the source of origin. The Parks, Recreation, Entertainment and Conservation Department are requested to oversee the project. The Department will work with the Davey Tree Expert Company for the planting of the trees, the City contract number is CS-0300-07.

Policy Impact Area: Park improvement

Fiscal Impact: \$23,485 from Tree Protection Trust Fund

Analyst: Stewart

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-774

Sponsor: Council Member Davis:

Date of Introduction: June 26, 2007

Committee(s) of Reference: F; ECID

Date of Analysis: June 29, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$24,030 from the Tree Protection and Related Expenses Trust Fund for tree planting at Caleb Park in Council District 12. The bill stipulates that the Department of Parks, Recreation, and Entertainment & Conservation is designated to provide oversight for the project.

Background Information: Caleb Park is located at 10312 Old Gainesville Road. Red maple, drake elm, little gem magnolia and Nellie Stevens Holly are the trees that will be acquired and planted with the funds appropriated by this bill.

Policy Impact: Parks, Recreation, Entertainment and Conservation

Fiscal Impact: The bill appropriates \$24,030

Analyst: Jackson

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Bill Type and Number: Resolution 2007-775

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Lynette Self to the Jacksonville Waterways Commission, replacing Bronson Lamb as a member of the General Public, for a first full term ending March 10, 2010.

Background Information: Section 95.103(c), *Ordinance Code*, provides that nine of the members of the Jacksonville Waterways Commission shall be members of the General Public appointed by the Council. Ms. Self was first elected to the City Council in 1999 and re-elected in 2003. During her two terms on the Council, she served eight years on the Jacksonville Waterways Commission, including seven years as the Chair and one year as the Vice Chair. Ms. Self owns the *Rose of Sharon European Florist* and resides in the East Arlington area within Council District #2.

Policy Impact Area: Jacksonville Waterways Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-776

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Peter Anderson to the Industrial Technical Advisory Committee, as the commercial property developer appointee, for a first full two-year term ending June 30, 2009.

Background Information: Ordinance 2007-776-E, enacted May 22, 2007, created the Industrial Technical Advisory Committee with seven members appointed by the Council, including a "commercial property developer". Mr. Anderson graduated from the University of Georgia and is the Vice President of *Pattillo Construction Company*. He resides in the Avondale area within Council District #14.

Policy Impact Area: Industrial Technical Advisory Committee operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-777

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 21, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Jarik E. Conrad to the Early Learning Coalition of Duval, replacing Connie Hodges, for a first full three-term ending June 30, 2010.

Background Information: Sec. 411.01(5), *Florida Statutes*, provides for one member of the Early Learning Coalition to be appointed by the board of county commissioners. Mr. Jarik received a doctorate of education from the University of North Florida and is the Executive Director for the Blueprint for Prosperity with the *Jacksonville Regional Chamber of Commerce*. He resides in the Deerwood area within Council District #13.

Policy Impact Area: Early Learning Coalition of Duval operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-778

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 26, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Corey Deal to the Jacksonville Small and Emerging Business "JSEB" Monitoring Committee, replacing Ryan Schmidt as a Non-JSEB Contractor, for a first term ending May 1, 2010.

Background Information: Per Sec. 126.607(c), *Ordinance Code*, two of the members of the JSEB Monitoring Committee are appointed by the Council, including a non-JSEB contractor. Mr. Deal received a master's degree in business administration from Samford University and is the Director of Governmental Affairs with *The Northeast Florida Builders Association*. He resides in the Murray Hill area within Council District #9.

Policy Impact Area: JSEB Monitoring Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2007-779

Sponsor: Council President Corrigan

Date of Introduction: June 26, 2007

Committee(s) of Reference: R

Date of Analysis: June 26, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Brock Mikosky to the Industrial Technical Advisory Committee, as a residential builder representative, for a first full two-year term ending June 30, 2009.

Background Information: Ordinance 2007-776-E, enacted May 22, 2007, created the Industrial Technical Advisory Committee with seven members appointed by the Council, in various categories including a residential builder. Mr. Mikosky received a master's degree in business administration from Seton Hall University and is the Vice President of *Partnership Custom Homes & Remodeling, Inc.* He resides in Downtown Jacksonville within Council District #4.

Policy Impact Area: Industrial Technical Advisory Committee operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2007-780

Sponsor: The Council President pursuant to Chapter 92, *Ordinance Code*:

Date of Introduction: June 26, 2007

Committee(s) of Reference: TEUS; LUZ

Date of Analysis: June 29, 2007

Type of Action: Grant of Consent for Special Powers/Ordinance Code Amendment

Bill Summary: This ordinance grants consent for the Beach Community Development District's ("CDD") exercise of special powers related to Section 190.012(2), Florida Statutes and Section 92.15, *Ordinance Code*; the ordinance amends Section 92.22 (Existing Community Development Districts), *Ordinance Code*, to include the grant of this consent.

Background Information: This Board of Supervisors of the Beach Community Development District petitioned the City Council for the City's consent for the CDD to exercise special powers to plan, establish, acquire, construct, or reconstruct facilities for fire prevention and control. Specifically, the CDD contemplates the design and construction of a fire station located immediately north of the existing Fire Station NO. 50. The CDD is located in Council District 3, between Kiernan and Hodges Boulevards.

Policy Impact: Planning & Development Department/Community Development Districts

Fiscal Impact: The CDD has paid a required \$1,500 fee

Analyst: Jackson