

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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117 West Duval Street
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Bill Type and Number: Ordinance 2011-408

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

Date of Introduction: June 28, 2011

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

Date of Analysis: June 28, 2011

Type of Action: Ordinance Code amendments

Bill Summary: The bill amends Ordinance Code in Chapter 76 - Historic Preservation Commission, Chapter 307 - Historic Preservation and Protection, and Chapter 518 – Property Safety and Maintenance Code, to insert language regarding “mothballing” – a method of providing an enforcement alternative to owners of historic buildings to allow preserving the building from deterioration while efforts are made to pursue its preservation rather than its demolition due to its failure to meet property safety codes. The amendment to Chapter 76 includes provision for a rule-making and rule amendment process which shall include a public hearing requirement. The amendments to Chapter 307 include addition of a definition of the term “mothballing”, defined as a method used to stabilize and prevent deterioration from weather damage and vandalism of a vacant structure for the purpose of preserving it for future use. The bill establishes criteria for the commission to use in determining the appropriateness of an application for mothballing and for the extension of an approved mothballing certificate.

An amendment to the Property Safety and Maintenance Code chapter requires the City to obtain a Certificate of Appropriateness from the commission before demolishing a historic structure (currently the building owner is required to obtain a COA to demolish a structure, but not the City), and requires that in the case of a building that must be demolished immediately as an imminent safety danger, a COA must be obtained after the fact for record keeping purposes. The bill inserts new language in Chapter 307 making provision for alternative enforcement mechanisms for the Property Safety Code and for mothballing vacant structures to preserve them in a safe condition for potential future re-use. It includes provisions for applications, inspections, notification requirements, compliance, reporting and enforcement. It also references the rule-making authority of the Historic Preservation Commission with regard to historic properties. An initial mothballing COA is good for a period of 5 years and may be renewed with a new COA. Chapter 518 is amended to make provision for alternative enforcement mechanisms for the Property Safety Code and for mothballing vacant structures to preserve them in a safe condition for potential future re-use.

Background Information: The new provisions are being proposed to rectify a conflict between City policies, where strict compliance with the Property Safety and Maintenance Code requires enforcement steps that are at odds with the needs of preserving designated or potentially eligible historic properties that are in poor condition. These changes provide a means of adhering to the spirit of both codes and protecting public health and safety while also preserving historic resources.

Policy Impact Area: Historic preservation; property safety and maintenance code enforcement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2011-409

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: R

Date of Analysis: June 28, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 350 – Elections, Election Regulations and Campaigning – to provide that all required campaign treasurer reports shall only be filed electronically in a format to be determined by the Supervisor of Elections (SOE). It provides that the SOE shall maintain a computer station in the Supervisor’s office for the use of campaign treasurers who do not have other access to appropriate equipment.

Background Information: State law already requires that campaign treasurer reports must be filed with the Florida Department of State, Division of Elections in an electronic format. This will would apply the same electronic filing requirement to local filings with the SOE so that staff conversion of and storage of paper reports will be eliminated.

Policy Impact Area: Candidate campaign treasurer reporting

Fiscal Impact: The Supervisor of Elections’ Office indicates that there will be a minimal cost savings.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-410

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 1, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance amends Chapter 740 (Sidewalks, Curbs and Gutters), Section 740.104 (Petition of Property Owners for Laying of Curbs, Gutters or Sidewalks), *Ordinance Code*, to bring a property owner's cost for curbs, gutters and sidewalks in line with the actual cost of such a project and to require a property owner to pay for the construction by the City of a concrete driveway on his/her property so as to avoid benefitting one property owner over another.

Background: The purpose of the ordinance amendment is to increase the cost to property owners to \$35.00 per linear foot. This rate is commensurate with the actual cost to the City for constructing such facilities; the current rate of \$12.00 per linear foot has been adjusted since 1989. The legislation also provides clarification that a property owner is responsible for the additional cost for the City to construct a concrete driveway, if desired.

Policy Impact: Public Works

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-411

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: F

Date of Analysis: June 28, 2011

Type of Action: Appropriation

Bill Summary: The bill appropriates \$4,728,284.77 from the City's self-insurance program account to return excess loss prevention contributions of \$1,025,650.03 to the JEA, \$9,445.95 to the Jacksonville Port Authority, \$55.48 to the Jacksonville Housing Authority, \$184,060.32 to the Jacksonville Aviation Authority, and \$3,509,072.99 to the City as a result of good claims experience in FY10.

Background Information: The excess loss prevention contributions (insurance reserves) are derived from the Worker's Compensation and General Liability programs and represent contributions in excess of expenses in those programs. Excess contributions are returned to the contributing agencies based on a formula which takes into account contributions into the fund, a proportional return of interest earnings, proportional division of administrative expenses, retained reserves for future years, and claim experience.

Policy Impact Area: Self-insurance funding

Fiscal Impact: The bill returns \$4,728,284.77 in excess self-insurance reserves to the contributing agencies on a formula basis.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-412

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 1, 2011

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$1,300,000 in Investment Pool Earnings to provide funding for Phase I Improvements to the Water Street Garage, as initiated by B.T. 11-101; provides a carryover of funds to Fiscal Year 2011-2012; amends the 2011-2015 Five-Year Capital Improvement Program, approved by Ordinance 2010-558-E, to increase the budget for the project entitled "Water Street Garage Update" and to reduced the budget for the project entitled "Facilities Capital MTNCE – GOV'T"; provides for oversight by the Public Buildings Division of the Public Works Department.

Background: The first phase of the improvements at the City-owned Water Street Garage will address basic safety and aesthetics, as well as structural issues in the stairwells, with lighting comprising a major element of this phase.

Policy Impact: Public Works/Public Buildings

Fiscal Impact: The bill appropriates \$1,300,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-413

Sponsor: Council President at the request of the Mayor

Date of Introduction: July 28, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: July 1, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$3,400,000 by moving funds, erroneously posted to the McCoy's Creek Pond D project number, from the McCoy's Creek Pond D project number to the McCoy's Creek Pond C project number, as initiated by B.T. 11-102; provides a carryover of funds to Fiscal Year 2011-2012.

Background: Funds were originally appropriated for the CIP McCoy's Creek Pond "C"; however, the budget interface was set up using the wrong project number and posted to McCoy's Creek Pond "D" in error. The funds and expenses need to be moved to the proper project number established for McCoy's Creek Pond "C".

Policy Impact: Public Works/Engineering

Fiscal Impact: The ordinance appropriates \$3,400,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-414

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: RCD; F

Date of Analysis: July 1, 2011

Type of Action: Appropriation; Agreement Authorization; CIP Amendment

Bill Summary: This ordinance concerns a continuation grant. The ordinance appropriates \$387,430 (a \$182,750 Recreation Trail Grant from the Florida Department of Environmental Protection, Office of Greenways and Trails Division, a City match in the amount of \$182,750, and a twelve percent (12%) overmatch for Public Works' fee for engineering and design in the amount of \$21,930) to provide funding for the design and construction of the second phase of the S-Line Rail Trail, as initiated by B.T. 11-105; the ordinance provides for a carryover of funds to Fiscal Year 2011-2012; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, for and on behalf of the City, the Recreational Trails Program Fiscal Year 2010-2011 Project Agreement between the City of Jacksonville and the Florida Department of Environmental Protection; the ordinance amends the 2011-2015 Five Year Capital Improvement Program, approved by Ordinance 2010-558-E, for the project entitled "Phase II-S-LINE RAIL TRAIL"; provides for City oversight by the Department of Recreation and Community Services.

Background: The S-Line Rail Trail property is an abandoned CSX railroad right-of-way that runs along the west and north area of downtown in the shape of an "S" and was acquired by the City to build a trail system in the urban core of the City. The funding assistance received from this grant will aid in the continuation of the S-Line Rail Trail construction of the second phase. The proposed Recreation Trail Program S-Line Rail Trail Phase II project will be a continuation of the trail starting at East 21st Street traveling northwest to Main Street.

Policy Impact: Recreation & Community Services Department

Fiscal Impact: The ordinance appropriates \$387,430 in a state grant, with a City match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-418

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: June 30, 2011

Type of Action: Appropriation; CIP Amendment

Bill Summary: This bill appropriates \$200,000 from a General Capital Projects account to establish a subobject in order to provide the budget for the 11th Street, 12th Street, and Venus Street connector right-of-way expenses and other right-of-way expenses. Additionally, the Five-year Capital Improvement Program is amended to provide funding for the 11th Street and 12th Street Connector (Venus to Boulevard) project.

Background Information: This will provide funding for right-of-way acquisition in connection with the construction of a connector road.

Policy Impact Area: Public Works; Capital Improvements; Budget and Accounting

Fiscal Impact: Undetermined; \$200,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-419

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: PHS, F

Date of Analysis: June 28, 2011

Type of Action: Authorization of interagency agreement

Bill Summary: The bill authorizes the execution of the annual letter of agreement among the City, Shands Jacksonville medical center, and the Florida Agency for Health Care Administration for payment of the City's indigent care contribution of \$23,775,591 to Shands Jacksonville and for the use of those funds to leverage federal "disproportionate share" Medicaid funds to increase the amount of funding available for indigent care purposes.

Background Information: Shands Jacksonville and several of the other largest indigent care provider hospitals in the state participate in the "disproportionate share" program through which the hospitals turn their local indigent care funds over to the state to be used as matching funds to draw down enhanced Medicaid reimbursement for indigent care, thus substantially increasing the amount of care that can be provided as a result of the local appropriation.

Policy Impact Area: Indigent care funding

Fiscal Impact: The City's contribution to the disproportionate share fund is \$23,775,591. Due to the complicated formula used by the state and the earmarking of Medicaid funds for particular uses, it is reported to be difficult if not impossible to determine the exact dollar amount of additional funding the City's contribution leverages from Medicaid.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-420

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: June 30, 2011

Type of Action: Settlement Approval

Bill Summary: This bill approves a settlement agreement and release with Larry and Brendalin Harden, owners, relative to the demolition of the structures at 6113 and 6115 Norwood Avenue. Authorization is given the General Counsel, or designee, to execute necessary documents to effect the approved settlement. Additionally, agreement terms, including the expenditure of \$150,000 from the Nuisance Abatement Lien Fund, are approved.

Background Information: In August 2007, the Municipal Code Compliance Division exercised its abatement authority by demolishing two structures located at 6113 and 6115 Norwood Avenue due to safety concerns relative to collapsed roofs and the possibility of injuring the public. The owners disputed the demolition, leading to litigation. The settlement agreement resolves all claims, with the City agreeing to pay the Hardens the total sum of \$150,000. The settlement agreement states that the settlement is strictly a compromise of a doubtful and disputed claim, and that settlement is not to be construed as an admission of liability on the part of the City.

Policy Impact Area: Office of General Counsel; Settlements; Nuisance Abatement

Fiscal Impact: Undetermined; the settlement amount is \$150,000

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-421

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: RCD, F

Date of Analysis: June 28, 2011

Type of Action: Authorization to purchase restrictive easement

Bill Summary: The bill authorizes the City to enter into an agreement with the U.S. Navy and WW Family Ranch, LLC to purchase a restrictive easement over property located in the vicinity of Outlying Landing Field Whitehouse. The City will contribute \$306,907 (25%) of the easement purchase price, with the Navy providing the other \$920,721 (75%).

NOTE: the bill contains a scrivener's error on p. 3, line 1: 2010-298-E should be 2010-598-E.

Background Information: The easement will be procured under the authority of a Multi-Year Encroachment Agreement entered into between the City and Navy in 2009 (Ordinance 2009-60-E) to help protect the area around Whitehouse Field from encroachment by development, particularly development which would generate light pollution that would reduce the value of the field to the Navy as a facility for jets practicing aircraft carrier landings which requires complete darkness to simulate conditions at sea. The appraised value of the easement is \$1,227,628. The City has previously received funding in the amount of \$500,000 from the state via 3 separate grants (2009-60-E for \$200,000, 2010-598-E for \$100,000 and 2010-867-E for \$200,000) for easement purchases from which this appropriation will be drawn.

Policy Impact Area: Naval installation mission protection

Fiscal Impact: The bill appropriates \$306,907 in state grant funding as the City's 25% match for the easement purchase.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-422

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; F

Date of Analysis: July 1, 2011

Type of Action: Lease Agreement Approval

Bill Summary: The ordinance approves and authorizes the Mayor, or his designee, to execute and deliver, for and on behalf of the City, the First Amendment to Lease Agreement between the City of Jacksonville and Property Management Support, Inc., as Trustee of the Atlantic Land Trust, for 6,618 square feet of office space in the premises at 1220-0103 Atlantic Boulevard, at the current base rate of \$18.76 per square foot, with an additional \$0.75 per square foot for CAM (Common Area Maintenance) expenses, for a monthly rent of \$10,759.76, or \$129,117.12 annually, and with a new expiration date of September 30, 2012, to house the Tax Collector's Kernan Boulevard Branch Office.

Background: The amendment extends the term of the Lease one (1) additional year, at the current base rent rate of \$18.76 per square foot, with an additional \$0.75 per square foot for CAM expenses, or monthly and annual rental amounts of \$10,759.76 and \$129,117.12, respectively; the amendment also establishes a new expiration date of September 30, 2012. The Kernan Boulevard Branch Office of the Tax Collector is located in Council District 3.

Policy Impact: Public Works/Real Estate

Fiscal Impact: This ordinance amends a lease agreement for rental office space at an annual rental rate in the amount of \$129,117.12.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-423

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 1, 2011

Type of Action: Easement Closure

Bill Summary: The ordinance closes and abandons, and/or disclaims a portion of a non-access easement located in Aladdin Acres in Council District 6, established via Plat Book 40, Page 92 of the current public records of Duval County, Florida, at the request of Karen M. Meenan (the "applicant") so as to provide the applicant access to her property, such access currently being prohibited by the non-access easement.

Background: The subject property was created from the division of the original parcel. The non-access easement prohibits applicant's ingress and egress to the subject property. There is no other access to subject property available to applicant. Adjacent property owners are not affected by this closure. A \$500 closure application fee has been paid by the applicant. This request was routed to all government agencies which might have an interest in this matter and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: A \$500 closure application fee has been paid by the applicant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-424

Sponsor: Council President at the request of the Mayor

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU

Date of Analysis: July 1, 2011

Type of Action: Easement Closure

Bill Summary: This ordinance closes, abandons and/or disclaims a portion of a drainage easement near Gate Parkway in Council District 13 (the "subject property"), dedicated to the City in Official Records Book 11223, Page 2252 of the current public records of Duval County, Florida, at the request of NGP V Jacksonville FL LLC (the "applicant") so as to allow the applicant to clear issues on title to the subject property.

Background: The purpose of this ordinance is to allow the applicant to clear issues on title to the subject property. An error in the legal description caused the easement to overlap the applicant's property. The applicant has paid a \$1,000 application processing fee. There is an encroachment in the easement. This request was routed to all municipal agencies which might have an interest in this matter and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant for the easement closure has paid an application processing fee in the amount of \$1,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-425

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU

Date of Analysis: June 30, 2011

Type of Action: Easement Closure

Bill Summary: This bill closes and abandons a portion of an all utilities easement located in Fairfax Manor. Upon routing to government agencies and interested parties, there was only one objection, which has been satisfied. TECO Peoples Gas, which has a gas line in the easement, will move the gas line at the applicant's expense, with the applicant granting a new easement to TECO for said relocation.

Background Information: The easement is located in the vicinity of Dogwood Place and Mayview Road. The applicant, John Valentino, is the owner of parcels on either side of the easement, and he has requested closure to make better use of the parcels. A \$500 closure application fee has been paid.

Policy Impact Area: Real Estate-Easement Closures

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-426

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU

Date of Analysis: June 30, 2011

Type of Action: Easement Closure

Bill Summary: This bill closes and abandons a portion of a storm drainage easement at the end of Windmoor Drive. No municipal agencies have expressed objections. The bill states that the property is not needed or used by the City.

Background Information: The applicant, Suparna Gulani, has requested a reduction in size of the easement to allow for construction of a dwelling on the property. A \$500 application processing fee has been paid.

Policy Impact Area: Real Estate-Easement Closures

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-427

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

Date of Introduction: June 28, 2011

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

Date of Analysis: June 30, 2011

Type of Action: Right-of-Way Closure and Surplus; Conveyance Authorization; Waiver

Bill Summary: This bill closes and abandons all of a right-of-way for drainage on Cisco Road. The property is declared to be surplus to City needs, and the Mayor, or designee, and Corporation Secretary are authorized to execute necessary documents to convey the property by quit claim deed at no cost jointly to James Spencer and Kevin Allen Cope, the adjacent property owners to the north. The adjacent property owner to the south has expressed no interest in the property. Any objections from government agencies have been resolved. The provisions of Section 122.422 are waived to allow conveyance of the property at no cost.

Background Information: The applicant, James Spencer, has requested the closure to satisfy issues his mortgage company has regarding adequate access to and from Cisco Road. The bill states that the drainage right-of-way is not used, contains no City-owned structures or facilities, and has no value to the City due to its deed-restricted use as a drainage right-of-way. The \$1,500 processing fee has been paid.

Policy Impact Area: Real Estate-Closures

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-428

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU; LUZ

Date of Analysis: June 30, 2011

Type of Action: Road Closure

Bill Summary: This bill closes, abandons, and/or disclaims an opened and improved portion of Riverview Drive, reserving unto the City a perpetual unobstructed easement for ingress and egress, and for all utilities. Unless otherwise approved by the Planning and Development Department, the applicant is to adhere to the terms of PUD Ordinance 2002-931-E addressing the applicant's adjacent development (6-foot aluminum fence with masonry columns be maintained between Riverview Drive and the applicant's property, and 10-foot building restriction line remain in effect from the originally platted right-of-way line). Any objections by government agencies have been resolved.

Background Information: The subject property is located south of Atlantic Boulevard. The applicant, Crescent Resources, LLC, has requested closure to allow expansion of parking capacity for its Harbortown Marina development. The \$1,500 processing fee has been paid.

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

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-429

Introducer/Sponsor: Council Member Bishop

Date of Introduction: June 28, 2011

Committee(s) of Reference: RCD

Date of Analysis: June 30, 2011

Type of Action: Park Master Plan Amendment

Bill Summary: This bill amends the Ed Austin Regional Park Master Plan dated January 2001 to incorporate a dog park. The Department of Recreation and Community Affairs is given project oversight.

Background Information: The Ed Austin Regional Park was formerly known as The Dunes/District 2 Regional Park. Plans include separate large dog and small dog areas, fencing and gates, concrete walkways to entries, concrete interior walkway to benches, and posting of a dog park rules sign.

Policy Impact Area: Recreation and Parks

Fiscal Impact: To be determined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-430

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: TEU, F

Date of Analysis: June 28, 2011

Type of Action: Authorizing revised standard agreement with FDOT for infrastructure construction and maintenance

Bill Summary: The bill supersedes previous ordinance 2009-302-E and authorizes a new revised standard agreement form between the City and the Florida Department of Transportation for construction and maintenance of City infrastructure improvements on FDOT rights-of-way, specifically non-FDOT-standard landscaping.

Background Information: The City initially entered into an agreement in 2000 for City maintenance of non-standard landscaping materials on FDOT rights-of-way. The standard form authorized by the agreement was subsequently amended in 2002, 2006 and 2009. The current standard form provides that agreements are for a term of 1 year with automatic 1-year renewal terms unless terminated by either party by giving 60 days' written notice. It provides that the City is responsible for all maintenance and that the FDOT may require the City to modify or remove its improvements if that is determined to be in FDOT's best interests.

Policy Impact Area: Standard form of agreement for infrastructure improvements

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2011-432

Sponsor: Council President at the request of the Mayor-Elect

Date of Introduction: June 28, 2011

Committee(s) of Reference: R

Date of Analysis: June 23, 2011

Type of Action: Reappointment Confirmation; Requesting Emergency Passage

Bill Summary: This bill confirms the Mayor-Elect's reappointment of Cindy A. Laquidara as General Counsel, effective July 1, 2011, as an emergency.

Background Information: Per Sec. 25.102, *Ordinance Code*, and Sec. 7.203, *Jacksonville 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. Per the *Charter*, the term of the General Counsel coincides with the term of the Mayor.

Ms. Laquidara received a law degree from Boston College Law School and is board certified by the Florida Bar in City, County and Local Government Law. She has been employed with the City of Jacksonville since 1998 and served as Chief Deputy General Counsel / Head of the Litigation Department until her appointment as General Counsel in 2010. Ms. Laquidara resides in St. Johns County.

NOTE: Sec. 7.204, *Jacksonville Charter*, provides that a General Counsel may be reappointed by a newly elected Mayor. The reappointment of a General Counsel shall be confirmed by the Council.

Policy Impact Area: Office of General Counsel operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$149,507 to \$244,092 annually.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2011-433

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: R

Date of Analysis: June 23, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Jessica A. Deal to the Cultural Service Grant Committee, as a Cultural Council representative, for a first full three-year 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. Deal received a bachelor's degree in business administration from the University of North Florida and is a Municipal Marketing and Government Relations Manager with *Advanced Disposal Services*. She has served on the Cultural Service Grant Committee since 2010 and previously served on the Charter Revision Commission. Ms. Deal resides in the South Point area within Council District #4.

Attendance: According to records provided by the staff for the Cultural Council, Ms. Deal has attended 6 of 7 (86%) of the meetings of the council since her initial appointment in 2010.

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2011-438

Introducer/Sponsor(s): Council Member Bishop

Date of Introduction: June 28, 2011

Committee(s) of Reference: F

Date of Analysis: June 28, 2011

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 122 – Public Property – with regard to the Capital Improvement Program (CIP) to provide that no funds may be expended on a CIP project which has been approved in the CIP under a general project title or description unless and until a CIP amendment is approved by the City Council adopting a project description containing precise locations of work, narrowly defined project costs and narrowly defined work description.

Background Information: The preamble to the bill states that transparency in and public awareness of the CIP process are not well served when capital improvement funds are allocated to non-specifically-worded project titles that lack specificity about the location, cost, and scope of the work to be done. This amendment would require that if and when funds are allocated in the CIP to generally-worded projects, no funds may be expended on such projects until CIP amendments are approved by Council to add the required degree of specificity.

Policy Impact Area: Capital improvement program

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2011-440

Introducer/Sponsor(s): Council Member Lee/Council Member Johnson

Date of Introduction: June 28, 2011

Committee(s) of Reference: R

Date of Analysis: June 28, 2011

Type of Action: Censure of Council Members

Bill Summary: The bill censures the four Council Members who departed from the June 20, 2011 meeting of the Rules Committee without the permission of the Chair, thereby removing a quorum and causing the meeting to be adjourned.

Background Information: The preamble to the bill states that the actions of the four members were done in violation of the Council Rules, were detrimental to the good order and discipline of the Council and were disrespectful of the general public and the City staff who were in attendance at the meeting to see the public's business transacted. Council Rule 2.202 requires that each City Council Member must attend every meeting of the Council or of a committee of which they are a member unless excused by the committee chair. Rule 4.501 prohibits any member from leaving a meeting without permission from the chair and notice being given.

Policy Impact Area: Council discipline

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2011-441

Sponsor: Council Rules Chair Lee and co-sponsored by Council Member Johnson:

Date of Introduction: June 28, 2011

Committee(s) of Reference: R

Date of Analysis: July 1, 2011

Type of Action: Ordinance Amendment

Bill Summary: This ordinance amends the Council Rules; makes findings as to the importance of Council Meeting attendance; recognizes existing Council Rules 2.202 (Attendance; Voting) and 4.501 (Absence from Meetings); Amends Part 5 (Decorum) of Chapter 4 (Procedures), Creates a new Rule 4.506 (Penalties) to authorize removal from Council Committees and censure.

Background: This ordinance creates a new rule, Rule 4.506 (Penalties) as a component of the Rules of the Council. Rule 4.506 stipulates that if a Council Member fails to comply with Rules 2.202 (Attendance; voting) and 4.501 (Absence from meetings), by absenting himself/herself from a Council committee meeting without prior notice and permission from the chair, the Member can be removed from the Council committee and subject to censure by resolution of the Council.

Policy Impact: Council Rules

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2011-442

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

Date of Introduction: June 28, 2011

Committee(s) of Reference: R; F

Date of Analysis: June 30, 2011

Type of Action: Approval of Form; Legislation Advancement; Emergency Request

Bill Summary: This bill approves the form of Substitute 2011-400, as amended, and the Fourth Amendment to Restated Agreement between the City and the Jacksonville Police and Fire Pension Board of Trustees. It is required that the Council advance the proposed legislation on its calendar for final ordinance approval without delay immediately upon receipt of the necessary approval from the Florida Division of Retirement. Emergency passage is requested as the proposed amendments will affect new employees hired on and after October 1, 2011, and the City's Pension Office and Human Resources Division need time to implement the changes.

Background Information: This resolution was adopted as an emergency at the Council meeting held June 28, 2011. Ordinance 2011-400 relates to the Police and Firefighters Pension Plan, and includes provisions creating a new category of member with revised benefits based upon a hiring date on or after October 1, 2011.

Policy Impact Area: Pensions and Retirement

Fiscal Impact: Information on file states that the form of ordinance that this resolution approves will reduce the benefits payable under the City's Police and Fire Pension Fund for employees hired on or after October 1, 2011, thereby reducing the City's future annual contributions to said fund.

Analyst: Campbell