

**CITY COUNCIL RESEARCH DIVISION**  
**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2015-164

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** F, RCDPHS

**Date of Analysis:** March 12, 2015

**Type of Action:** Appropriation; authorization to execute agreement; designation of oversight agency

**Bill Summary:** The bill appropriates a \$4,000 grant from the National Recreation and Park Association (NRPA) to fund the Walk With Ease program and authorizes the execution of an agreement between the City and NRPA for receipt and use of the funds. The Parks, Recreation and Community Development Department is designated as the oversight agency.

**Background Information:** The Walk With Ease (WWE) program is an initiative of the NRPA, the National Association of Chronic Disease Directors and the Centers for Disease Control and Prevention and the Arthritis Foundation to encourage regular walking exercise as a means of combatting the debilitating effects of arthritis. The grant agreement requires the City to implement at least one WWE program at a park or other appropriate exercise facility, to engage at least 100 participants in the program, to train at least one instructor through an online training course, to coordinate with the local Arthritis Foundation office to use as a resource during the grant period, to make quarterly progress reports, and to participate in online webinars and conference calls for training purposes.

**Policy Impact Area:** Health promotion activities

**Fiscal Impact:** The bill appropriates a \$4,000 private grant.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-165

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** F, RCDPHS

**Date of Analysis:** March 12, 2015

**Type of Action:** Appropriation; fiscal year carry-over; authorizing execution of sub-grant agreement; designation of oversight agency

**Bill Summary:** The bill appropriates a \$147,787.52 Federal Emergency Management Agency (FEMA) grant to the Emergency Preparedness Division of the Fire and Rescue Department to provide funding for the acquisition and demolition of a residence located at 4604 Fremont Street between Roosevelt Boulevard and Blanding Boulevard in Council District 9. The bill authorizes the funds to carry-over to the subsequent fiscal year, authorizes the execution of a sub-grant agreement between the City and the Florida Division of Emergency Management, and designates the Fire and Rescue Department as the City's oversight agency.

**Background Information:** The funding is made available through FEMA's Severe Repetitive Loss Flood Mitigation Program which provides funding to purchase and demolish structures located in flood-prone areas that have suffered multiple instances of serious flooding in order to reduce claims against the National Flood Insurance Program. The building and foundation will be removed and a perpetual open space conservation easement will be placed on the property to keep it undeveloped.

**Policy Impact Area:** Flood loss mitigation

**Fiscal Impact:** The bill appropriates a \$147,787.52 Federal Emergency Management Agency (FEMA) grant with no required local match.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-166

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** F, RCDPHS

**Date of Analysis:** March 12, 2015

**Type of Action:** Appropriation; fiscal year carry-over; authorizing execution of sub-grant agreement; designation of oversight agency

**Bill Summary:** The bill appropriates a \$365,000 Federal Emergency Management Agency (FEMA) grant to the Emergency Preparedness Division of the Fire and Rescue Department to provide funding for the acquisition and demolition of a residence located at 3804/3806 Boone Park Avenue Street at Boone Park and Herschel Street in Council District 14. The bill authorizes the funds to carry-over to the subsequent fiscal year, authorizes the execution of a sub-grant agreement between the City and the Florida Division of Emergency Management, and designates the Fire and Rescue Department as the City's oversight agency.

**Background Information:** The funding is made available through FEMA's Severe Repetitive Loss Flood Mitigation Program which provides funding to purchase and demolish structures located in flood-prone areas that have suffered multiple instances of serious flooding in order to reduce claims against the National Flood Insurance Program. The building and foundation will be removed and a perpetual open space conservation easement will be placed on the property to keep it undeveloped.

**Policy Impact Area:** Flood loss mitigation

**Fiscal Impact:** The bill appropriates a \$365,000 Federal Emergency Management Agency (FEMA) grant with no local match required.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-167

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** F; RCDPHS; JWW

**Date of Analysis:** March 13, 2015

**Type of Action:** Approval for Utilization of Fund

**Bill Summary:** The ordinance approves the utilization of Florida Boater Improvement Project (FBIP) fund dollars to complete the construction of the Oak Harbor Boat Ramp replacement for a total estimate of \$166,700; provides for oversight by the Department of Parks, Recreation and Community Services.

**Background Information:** The Oak Harbor Boat Ramp is located adjacent to the Oak Harbor subdivision in Atlantic Beach, southwest of the Mayport Naval Station; 2428 Seaway Street; in Council District 11. This project was designed utilizing CIP funds; CIP are not available, however, for construction of the project. The Ordinance Code (Section 110413) stipulates that Florida Boater Improvement Funds in an amount \$30,000 or less can be distributed by the Director of Finance; funds in the amount of this utilization is in excess of \$30,000 and must therefore be approved by the City Council.

**Policy Impact:** Parks, Recreation & Community Services Department

**Fiscal Impact:** The ordinance approves the utilization of funds in the amount of \$166, 700.00.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-170

**Introducer/Sponsor(s):** Council President at the request of the Jacksonville Historic Preservation Commission

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** LUZ

**Date of Analysis:** March 12, 2015

**Type of Action:** Designation of historic landmark

**Bill Summary:** The bill designates the Elena Flatts Building at 122 East Duval Street in downtown Jacksonville (Council district 4) as a historic landmark and directs that the designation be entered into the Zoning Atlas and communicated to the property owner and the Property Appraiser.

**Background Information:** The building is located on East Duval Street behind the Supervisor of Elections' Monroe Street office, facing the rectory of Immaculate Conception Catholic Church across Duval Street. The historic designation was recommended by the Jacksonville Historic Preservation Commission. The building was constructed in 1909 in Jacksonville's post-fire building boom and is one of a dwindling number of structures surviving from that era, one of only two apartment buildings remaining from that era in the eastern portion of downtown. The interior of the Colonial Revival-style building remains basically intact in its layout and finishes and the Historic Preservation Commission found that it meets at least 4 of the required criteria for designation, including being a good representation of the architectural era in which it was constructed, being suitable for preservation, and retaining a substantial amount of its original decorative elements and craftsmanship.

**Policy Impact Area:** Historic landmark designation

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-171

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 5, 2015

**Type of Action:** Approval of a temporary construction easement

**Bill Summary:** This bill approves and authorizes the Mayor, or his designee, and the Corporation Secretary, to execute and deliver a conveyance to Florida Department of Transportation (FDOT), for a temporary construction easement in, over, and under six parcels of City real property in Council District 5 and 13.

**Background Information:** FDOT needs Parcels 709A, 709B, 709C, 709D, 709E, and 709F for resurfacing and drainage improvements to Baymeadows Road at the intersection of Freedom Commerce Parkway, Western Way, Princeton Square Boulevard, and Old Baymeadows Road. The parcels are all within the right-of-way and will be utilized in the right-of-way improvement project and tie-in the City streets to Baymeadows Road. The easement shall be for the period of sixty (60) months commencing on the date the FDOT becomes the owner of this easement.

**Policy Impact Area:** Public Works Department

**Fiscal Impact:** The agreement is in consideration of the sum of one dollar (\$1.00).

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-172

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 5, 2015

**Type of Action:** Approval of a transfer and maintenance agreement

**Bill Summary:** This bill approves and authorizes the Mayor, or his designee, and the Corporation Secretary, to execute and deliver, for and on behalf of the City, the Transfer and Maintenance Agreement (TMA) between the City and the Florida Department of Transportation (FDOT) for a new full interchange at I-10 (SR-8) and Hammond Boulevard (Marietta); and authorizes the Mayor to accept portions of the improvements as detailed in the TMA by map transfer.

**Background Information:** This project is known as New Road Construction. The improvements to this project include:

- 1) a new full interchange at I-10 (SR 8) and Hammond Boulevard (Marietta)
- 2) an urban five lane typical section with bike lanes and sidewalks on Hammond Boulevard from just south of Rockland Drive to US 90 (SR 10 Beaver Street)
- 3) ramp widening at Northbound/Southbound I-295
- 4) a sound wall on the north side of I-10 (SR 8 in one location)
- 5) closing of the existing Marietta interchange

Upon the completion of the improvements, the City shall own, operate, maintain, and repair the improvements at its sole cost and expense.

**Policy Impact Area:** Public Works Department

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-173

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Agreement Authorization; Acceptance Authorization

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute, for and on behalf of the City, a Transfer and Maintenance Agreement between the City and the Florida Department of Transportation for the construction of a 4-lane urban/rural arterial typical section along State Road 200/US 301 from North of the I-10 interchange (approximately milepost 7.851) top North of the Town of Baldwin's City limits (approximately milepost 11.659), including the construction of bridges over a portion of the CSX east/west Railroad, a portion of the Jacksonville-Baldwin Rail Trail, and a portion of the CSX north/south Railroad (the "improvements"); the ordinance authorizes the Mayor to accept by Map Transfer, for and on behalf of the City, portions of the improvements as detailed in the Transfer and Maintenance Agreement.

**Background Information:** The Florida Department of Transportation will undertake, at no cost to the City, this construction project. Upon completion, those portions of the improvements shall be transferred to the City by Map Transfer, after which, upon completion, the City shall own, operate, maintain and repair the improvements at its sole cost and expense. The construction project is located in Council District 11.

**Policy Impact:** Public Works Department

**Fiscal Impact:** The Agreement obligates the City financially for the maintenance and repair of the improvements upon completion of the FDOT construction project.

**Analyst:** Jackson



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**Bill Type and Number:** Ordinance 2015-174

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Conveyance Approval & Authorization

**Bill Summary:** The ordinance approves, in accordance with Section 122.421(b), *Ordinance Code*, the conveyance to the Florida Department of Transportation (FDOT) of Parcels 152A, a fee parcel, at New Brandy Branch Road, 152B, a fee parcel at Canal Street, and 152C, a fee parcel, at Railroad Avenue, all in Council District 11, for the construction of a bypass around the City of Baldwin; the ordinance authorizes the Mayor and Corporation Secretary to execute and deliver, for an on behalf of the City, the City deed necessary to convey parcels 152A, 152B, and 152C to FDOT.

**Background Information:** The parcels are all within the rights-of-way of the City streets and are needed by FDOT for the construction of a bypass around the City of Baldwin. The three parcels are all within the rights-of-way of the subject City streets. These parcels will be used in the Baldwin Bypass construction project.

**Policy Impact:** Public Works/Real Estate

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-175

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Conveyance Approval; Easement Authorization

**Bill Summary:** The ordinance approves, in accordance with Section 122.421(b), *Ordinance Code*, the conveyance to the Florida Department of Transportation (FDOT) of Parcel 106, a fee parcel, Parcel 803, a perpetual easement, and Parcel 804, a perpetual easement, all in Council District 11, for the widening from four lanes to eight lanes of a portion of I-295 from the Dames Point Bridge to north of Pulaski Road and for additional drainage infrastructure to I-295; the ordinance authorizes the Mayor and Corporation Secretary to execute and deliver, for an on behalf of the City, (1) a City deed to convey Parcel 106 to FDOT, (2) a Perpetual Easement necessary to convey Parcel 803 to FDOT, and (3) a Perpetual Easement to convey Parcel 804 to FDOT.

**Background Information:** Parcel 106 contains 19,537 square feet within the right-of-way of Pleasant Oaks Road and is for the purpose of providing maintenance access and the construction of, a storm water management pond; Parcel 893 contains 5,379 feet and is within a City-owned drainage ditch. Parcel 804 contains 12,900 square feet and is within the right-of-way of Houle Road. These perpetual easements are for the construction and maintenance of storm water outfall systems.

**Policy Impact:** Public Works

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-176

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Easement Approval; Deed Authorization

**Bill Summary:** The ordinance approves, in accordance with Section 122.421(b), *Ordinance Code*, the release to the Florida Department of Transportation (FDOT) of a small portion of a conservation easement over a parcel in Council District 11 which FDOT is acquiring from a private owner for the replacement of Bridge #724049 at Dillon Road over Brandy Branch; the ordinance authorizes the Mayor and Corporation Secretary to execute a City Quitclaim Deed all other documents necessary to release a portion of the Conservation Easement to FDOT.

**Background Information:** Ordinance 2014-97-E authorized the "Construction and Maintenance Agreement" between the City and FDOT for the bridge replacement. The Conservation Easement was granted to the City of Jacksonville by the Monticello Companies, Inc., recorded July 12, 2002 in Official Records Book 10570, Page 1505. Additionally, a Reservation of Conservation Easement between the City of Jacksonville and Timothy N. Ellis, John David Coxwell and John B. Coxwell was recorded August 19, 2003, in Official Records Book 11298, Page 1725. Upon completion of the new bridge, the right-of-way under the old bridge will be closed and a conservation easement will be placed over that parcel in exchange for the one being vacated.

**Policy Impact:** Public Works Department/Real Estate Division

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-177

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Approval & Authorization for Easement Renewal

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Sovereignty Submerged Lands Easement Renewal (BOT File NO. 160771382) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the sole purpose of a storm water outfall structure at the river end between 3255 and 3256 Front Road for a fifty-year term at no cost

**Background Information:** The easement is solely for the purpose of a storm water outfall structure. This is a 25' x 20' Submerged Land Easement covering the River outlet end of a 48" storm drain. The storm pipe serves to drain Front Road and a portion of Beauclerc Road, Beauclerc Terrace and the Pickwick Park Area. The site is located in Council District 6. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida consists of the Governor and the Florida Cabinet.

**Policy Impact:** Public Works/Real Estate

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-178

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

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 13, 2015

**Type of Action:** Authorization for Easement Renewal

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Sovereignty Submerged Lands Easement Renewal (BOT File No. 160604822) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the sole purpose of a storm water drainage system outfall located along the river bulkhead south of the WJCT (TV Channel 7, 100 Festival Park Avenue) southeast property corner for a fifty-year term at no cost.

**Background Information:** The 50' x 50' Easement covers the St. Johns River outlet end of a 60" storm drain and is located along the river bulkhead south of the WJCT (TV 7, 100 Festival Park Avenue) southeast property corner and serves to drain the stormwater treatment pond for the southeast area of the Sports Complex and surrounding streets.

**Policy Impact:** Public Works/Real Estate Division

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2015-179

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** TEU

**Date of Analysis:** March 5, 2015

**Type of Action:** Closure and abandonment of right-of-way

**Bill Summary:** This bill approves the closure and abandonment of an unopened and unimproved right-of-way located near the intersection of Normandy Boulevard and 103<sup>rd</sup> Street, in Council District 12, to allow applicant to consolidate adjoining parcels.

**Background Information:** The right-of-way was established in Jacksonville Heights according to public records dated October 12, 1913. There is no infrastructure on the property and the City has no current or future need for the right-of-way. The Cibula Family Trust, applicant, paid the \$1,688 closure application processing fee.

**Policy Impact Area:** Public Works Department; Office of the Property Appraiser's

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-180

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** TEU

**Date of Analysis:** March 5, 2015

**Type of Action:** Closure and abandonment of alley

**Bill Summary:** This bill approves the closure and abandonment of an unopened and unimproved alley which bisects RE# 013581-0000 located in the southeast corner of the intersection of Shindler Drive and 103<sup>rd</sup> Street, in Council District 12, for the purpose of future commercial development.

**Background Information:** The alley was established in Jacksonville Heights South Half of Town Site according to public records dated October 6, 1909. There is no infrastructure on the property and the City has no current or future need for the right-of-way. The property owner and applicant, Wellsen Limited, Inc., paid the \$1,500 closure application processing fee.

**Policy Impact Area:** Public Works Department; Office of the Property Appraiser's

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-181

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** TEU

**Date of Analysis:** March 5, 2015

**Type of Action:** Closure and abandonment of rights-of-way

**Bill Summary:** This bill approves the closure and abandonment of portions of the rights-of-way of 23<sup>rd</sup> Street and 24<sup>th</sup> Street, in Council District 8, to allow for commercial redevelopment.

**Background Information:** The rights-of-way were established in Speedway Park according to public records dated March 12, 1909. Current infrastructure will be relocated as required in the commercial redevelopment plan. The City and JEA maintain reserve on perpetual unobstructed easements on, over, across, under and through the closed rights-of-way for ingress and egress and for all utilities. The applicant is Northwest Jacksonville CDC which owns all of the property adjacent to 24th Street right-of-way. The property owners adjacent to 23<sup>rd</sup> Street submitted a written consent to the closure of 23<sup>rd</sup> Street. The applicant paid the \$3,000 closure application processing fee.

**Policy Impact Area:** Public Works Department; Office of the Property Appraiser's

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell



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**Bill Type and Number:** Ordinance 2015-182

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** TEU

**Date of Analysis:** March 5, 2015

**Type of Action:** Closure and abandonment of right-of-way

**Bill Summary:** This bill approves the closure and abandonment of a portion of a sixty foot wide unopened and unimproved right-of-way located on Brookway Road near the intersection of Riverwood Lane, in Council District 5, to allow applicant to expand his residential property.

**Background Information:** The sixty foot wide right-of-way was established in River Oaks according to public records dated September 25, 1935. There is no infrastructure on the property and the City has no current or future need for the right-of-way. The portion to be closed and abandoned is 20 feet wide and approximately 125 feet long. This will allow the applicant to build an addition to his residence without violating the required setback from Brookway Road. Mr. Thomas R. Inman, Jr., the applicant, has paid the \$1,688 closure application processing fee.

**Policy Impact Area:** Public Works Department; Office of the Property Appraiser's

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-184

**Introducer/Sponsor(s):** Land Use and Zoning Committee

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** LUZ

**Date of Analysis:** March 5, 2015

**Type of Action:** Approval of corrected of legal description

**Bill Summary:** This bill approves replacing the current legal description to Ordinance 2014-726-E with the corrected legal description.

**Background Information:** The original legal description attached to Ordinance 2014-726-E was submitted in error. The property is 12.95± acres at 8680 A C Skinner Parkway between Sunset Marina Drive and Southside Boulevard located in Council District 4. The legal description attached to this bill will delete and replace the original description on file. All other terms of Ordinance 2014-726-E remain in force and effect.

**Policy Impact Area:** Legislative Services Division, Planning and Development Department

**Fiscal Impact:** Undetermined

**Analyst:** Mitchell

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**Bill Type and Number:** Ordinance 2015-185

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** R, F, RCDPHS

**Date of Analysis:** March 12, 2015

**Type of Action:** Authorizing amendment to grant contract; emergency action request

**Bill Summary:** The bill authorizes and amendment and extension of a Community Development Block Grant (CDBG) contract with Emergency Services and Homeless Coalition, Inc. to extend the grant completion date from December 31, 2014 to September 30, 2015, to replace authorization for a program assistant position with a bookkeeper position, to create a line item in the budget for utilities, and to make associated line item budget transfers to accomplish the intended changes. One cycle emergency approval of the revised contract is requested.

**Background Information:** The City entered into a service contract in August 2013 with the Emergency Services and Homeless Coalition, the lead agency in Northeast Florida providing training for and coordination of services for the area's homeless population, to operate the Jacksonville Day Resource Center downtown. This bill requests extension of the contract expiration date from December of 2014 to September 2015, authorizes the Homeless Coalition to utilize the CDBG to pay for a bookkeeper rather than a program assistant, and creates a line item for utilities that does not exist in the current version of the contract.

**Policy Impact Area:** Homeless services

**Fiscal Impact:** None; the bill extends the deadline for expenditure of previously appropriated funds and allows alternate uses within the existing budget.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-186

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** R, F, RCDPHS

**Date of Analysis:** March 12, 2015

**Type of Action:** Authorizing annexation of property

**Bill Summary:** The bill authorizes execution of an Interlocal Service Boundary Agreement between the City of Jacksonville and the City of Atlantic Beach which provides for the voluntary annexation of the former Selva Marina Country Club property from Jacksonville into Atlantic Beach. The agreement provides that until such time as the annexation is completed, the property shall remain subject to the planning, zoning and land development codes and regulations of the City of Jacksonville, and provides that within 6 months of the approval of this agreement the two cities shall amend their Comprehensive Plans (Intergovernmental Coordination Element and any other applicable elements) to reflect the provisions of the agreement.

**Background Information:** New owners purchased the approximately 133-acre Selva Marina Country Club property which straddles the Jacksonville/Atlantic Beach border several years ago and are proceeding with a complete redevelopment of the golf course, clubhouse facilities and surrounding residential neighborhood. Jacksonville and Atlantic Beach entered into an interlocal agreement in 2013 providing that Atlantic Beach would be the lead agency for permitting and inspecting the construction of the redevelopment. Atlantic Beach would provide water and sewer service while the JEA would provide electricity. Roadways in the development will be dedicated to the city in which the road is actually located. That agreement contemplated a future annexation of all of the property into Atlantic Beach, which this agreement facilitates.

**Policy Impact Area:** Annexation

**Fiscal Impact:** Undetermined

**Analyst:** Clements

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Resolution 2015-187

**Introducer/Sponsor(s):** Council Member Bishop

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Direction to General Counsel

**Bill Summary:** The bill directs the General Counsel to pursue such legal, administrative or judicial actions as may be deemed appropriate to determine the validity, enforceability and effect of the current agreement between the City and the Police and Fire Pension Fund (PFPF) commonly referred to as the "2001 Agreement" or the "30-year Agreement."

**Background Information:** In 1992 the City and the PFPF entered into a contract with an 8-year term regarding specific pension benefits, contributions, funding requirements and actuarial assumptions to settle litigation between the two parties over the use of state insurance premium tax revenues for pension contributions and other issues. The agreement was amended and restated in 2001 for a term of 30 years (through September 30, 2030) and was subsequently amended further in 2003, 2004 and 2006. Several lawsuits and claims of unfair labor practices related to the enforceability of the agreement are pending in various stages in the courts and in administrative venues. This bill directs the General Counsel to pursue one or more of these cases or to initiate a separate action to obtain a final determination as to the legality and enforceability of the 2001 Agreement.

**Policy Impact Area:** Pension reform

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2015-190

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** R

**Date of Analysis:** March 9, 2015

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Tony D. Hansberry as a member of the Jacksonville Children's Commission, filling the seat formerly held by Matthew Kane as a School Board District #4 representative, for a partial ending July 15, 2015.

**Background Information:** The Jacksonville Children's Commission is established pursuant to Chapter 51, *Ordinance Code*, and charged with the ongoing responsibility of improving the lives of Jacksonville's children by serving as the central focus for the evaluation, planning and distribution of the city's funds for children's services. Section 51.103, *Ordinance Code*, provides that the eleven voting members of the commission shall be citizens and residents of the City appointed by the Mayor, and confirmed by the Council, and that one of the members shall be appointed from (reside in) each of the School Board Districts.

Pastor Hansberry received a bachelor's degree in business administration from Florida A&M University and is the Senior Pastor at *Greater Grant Memorial A.M.E. Church*. He resides in the Biscayne area within Council District #7 (School Board District #4).

**Policy Impact Area:** Jacksonville Children's Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Merritt

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**Bill Type and Number:** Resolution 2015-191

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** R

**Date of Analysis:** March 9, 2015

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Emilio Zeller, III, as a member of the Jacksonville Housing Authority, replacing Geneva Henderson, for a first term ending September 16, 2017.

**Background Information:** The Jacksonville Housing Authority is established pursuant to Chapter 51A, Ordinance Code, and charged to within its area of operation, prepare, carry out, acquire, lease, and operate housing projects; and provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103, *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation of the Council.

Mr. Zeller received a bachelor's degree in architecture from the Georgia Institute of Technology and is a retired Architect. He resides in the Miramer area within Council District #5.

**Policy Impact Area:** Jacksonville Housing Authority operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Merritt

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**Bill Type and Number:** Resolution 2015-192

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

**Date of Introduction:** March 10, 2015

**Committee(s) of Reference:** R

**Date of Analysis:** March 9, 2015

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Mario J. Payne as a member of the Board of Library Trustees, filling the seat formerly held by Rita Cannon as an At-Large, Group 1 representative, for a partial term ending July 2016.

**Background Information:** The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of library services. Section 90.101, *Ordinance Code*, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Mr. Payne is a certified financial planner with *Raymond James Financial, Inc.* He resides within Council District #11 and At-Large Group 1.

**NOTE:** As Sec. 90.101, *Ordinance Code*, provides for terms expiring on July 15, this bill may need to be amended to reflect a term end date of **July 15, 2016**.

**Policy Impact Area:** Library Board of Trustees operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Merritt



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**Bill Type and Number:** Ordinance 2015-193

**Introducer/Sponsor(s):** Council Members Boyer, Anderson, Love, Crescimbeni, Gulliford and Schellenberg

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Appropriation; capital projects close-out; CIP amendment; acknowledging no waiver of Budget Ordinance Section 8.2 is required

**Bill Summary:** The bill appropriates \$18,064,668.26 of Better Jacksonville Plan budgetary authority from completed BJP projects to a designated Council contingency fund and declares "closed-out" an attached list of completed BJP projects. The bill amends the 2014-19 Capital Improvement Program (CIP) to reflect the completion and de-authorization of the listed projects and makes a finding of necessity to make a mid-year CIP amendment in order to clean up the BJP project listing prior to the implementation of a new citywide financial management/accounting computer system so as not to expend needless time and effort entering completed projects into the new database. The bill acknowledges that no waiver is needed to Section 8.2 of the FY14-15 budget ordinance (2014-466-E) which requires that district council members must approve the close-out by the Public Works Director of projects in their district because the projects are being closed out by action of the Council, not the Public Works Director.

NOTE: This bill deals with projects excluding those funded by BJP council district funds; see companion bills 2015-194 and 2015-195 for close-out of council district bond fund projects.

**Background Information:** The Council's Special CIP Committee has spent the last 6 months reviewing the City's CIP project lists and funding accounts in great detail and has reached a number of findings regarding projects that are completed, the amounts of cash and/or budgetary authorization remaining after project completion, and capital project subfunds that are in cash surplus or cash deficit, and the amount of outstanding budgetary authority for which no cash exists and further borrowing would be necessary to complete the authorized projects. This bill declares completed and closes out completed BJP projects and transfers any remaining budgetary authorization for those projects to a special Council designated contingency fund for potential reallocation to other BJP projects that have not been completed or for ultimate de-authorization of the budgetary authorization.

**Policy Impact Area:** Capital projects completion and close-out.

**Fiscal Impact:** The bill appropriates \$18,064,668.26 of Better Jacksonville Plan budgetary authority from completed BJP projects to a designated Council contingency fund.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-194

**Introducer/Sponsor(s):** Council Members Boyer, Anderson, Love, Crescimbeni, Gulliford and Schellenberg

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Capital projects close-out; CIP amendment

**Bill Summary:** The bill declares as “closed-out” an attached list of completed BJP council district projects and returns \$257,716.92 in excess project funds to their accounts of origin. The bill amends the 2014-19 Capital Improvement Program (CIP) to reflect the completion of the listed projects and makes a finding of necessity to make a mid-year CIP amendment in order to return the remaining unused project funds to their council district fund of origin in a timely manner for potential re-use.

NOTE: see companion Ordinance 2015-195 regarding close-out of BJP council district funds with no residual project funding.

**Background Information:** The Council’s Special CIP Committee has spent the last 6 months reviewing the City’s CIP project lists and funding accounts in great detail and has reached a number of findings regarding projects that are completed, the amounts of cash and/or budgetary authorization remaining after project completion, and capital project subfunds that are in cash surplus or cash deficit, and the amount of outstanding budgetary authority for which no cash exists and further borrowing would be necessary to complete the authorized projects. This bill declares completed and closes out completed council district BJP projects and transfers any remaining cash for those projects to the council district BJP fund.

**Policy Impact Area:** Capital projects completion and close-out.

**Fiscal Impact:** The bill returns \$257,716.92 in excess project funds to their council district accounts of origin.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-195

**Introducer/Sponsor(s):** Council Members Boyer, Anderson, Love, Crescimbeni, Gulliford and Schellenberg

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Capital projects close-out; acknowledging no waiver of Budget Ordinance Section 8.2 is required

**Bill Summary:** The bill declares as "closed-out" an attached list of completed BJP council district projects with no residual funding and acknowledges that no waiver is needed to Section 8.2 of the FY14-15 budget ordinance (2014-466-E) which requires that district council members must approve the close-out by the Public Works Director of projects in their district because the projects are being closed out by action of the Council, not the Public Works Director.

NOTE: see companion Ordinance 2015-194 regarding close-out of BJP council district funds with residual project funding remaining.

**Background Information:** The Council's Special CIP Committee has spent the last 6 months reviewing the City's CIP project lists and funding accounts in great detail and has reached a number of findings regarding projects that are completed, the amounts of cash and/or budgetary authorization remaining after project completion, and capital project subfunds that are in cash surplus or cash deficit, and the amount of outstanding budgetary authority for which no cash exists and further borrowing would be necessary to complete the authorized projects. This bill declares completed and closes out completed council district BJP projects and with no remaining project funding balances.

**Policy Impact Area:** Capital projects completion and close-out.

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2015-200

**Introducer/Sponsor(s):** Council Member Gulliford

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Appropriation; authorization to execute engagement letter; designating oversight agency; invoking Procurement Code exemption

**Bill Summary:** The bill appropriates \$85,000 from General Fund fund balance to cover the cost of a forensic audit of the Police and Fire Pension Fund. It authorizes the Mayor to execute an engagement letter with Benchmark Financial Services, Inc. and the Office of General Counsel to prepare a contract for the audit. It designates the Council Auditor's office as the oversight agency for the contract and invokes the exemption in Sec. 126.17(g) of the Procurement Code permitting the City Council to procure professional services without a competitive solicitation process if the Council specifically designates the contract recipient in the appropriation ordinance.

**Background Information:** This bill authorizes the engagement of Benchmark Financial Services, Inc. of Ocean Ridge, Florida to perform a forensic audit of the fund. According to the attached engagement letter, the firm's President, Edward Siedle, is a former attorney for the U.S. Securities and Exchange Commission and the firm has performed forensic pension audits for numerous state and municipal governments and large corporations.

**Policy Impact Area:** Police and Fire Pension Fund audit

**Fiscal Impact:** The bill appropriates \$85,000 from General Fund fund balance.

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2015-201

**Introducer/Sponsor(s):** Council President Yarborough

**Date of Introduction:** March 10, 2015

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

**Date of Analysis:** March 12, 2015

**Type of Action:** Petition to Florida Legislature

**Bill Summary:** The bill petitions the Florida Legislature to take action to remedy the unauthorized creation of a Senior Staff Voluntary Retirement Plan by the Police and Fire Pension Fund for senior administrators of the fund.

**Background Information:** A Senior Staff Voluntary Retirement Plan was created by the PFPF board in 2000 but actuarial reports on the plan were not submitted to the Florida Department of Financial Services until the 2011 report and the plan was not disclosed in the financial statements of the Fund or the City until 2012. The Council Auditor questioned whether this retirement plan was properly authorized and the General Counsel issued an opinion finding that it was not. The PFPF's attorney disagrees with this finding on the grounds that creation of the plan was authorized by the state, and the plan continues to operate with 2 current members. This bill requests the Florida Legislature to take action to provide a remedy to the unauthorized creation of the SSVRP.

**Policy Impact Area:** Police and Fire Pension Fund administration

**Fiscal Impact:** Undetermined

**Analyst:** Clements