

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 2019-168

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 8, 2019

Type of Action: Appropriation

Bill Summary: The bill appropriates \$15,614.42 of Fund Balance from the Duval County Teen Court Programs Trust to cover the cost of a part-time employee within the Duval County Teen Court Program, as initiated by B.T. 19-064; and authorizes part-time hours, as initiated by R.C. 19-098.

Background Information: Teen Court is a diversion program designated for first-time, misdemeanor offenders between the ages of 10 – 17. It gives these juveniles a second chance yet holds them accountable for their actions. The program directs cases away from the juvenile courts and provides a forum for defendants (who have admitted guilt) to explain their involvement in a criminal offense. The appropriation will cover the cost of a part-time administrative assistant to work 1040 hours. The clerical assistance provided is exclusive to the Teen Court.

Policy Impact Area: Teen court programs

Fiscal Impact: The appropriation of \$15,614.42, as initiated by B.T. 19-064.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2019-169

Sponsor: Council Member Newby:

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU; F

Date of Analysis: March 15, 2019

Type of Action: Surplus Property Declaration; Title Transfer Authorization; Reverter Provision

Bill Summary: This ordinance concerns surplus property of the City. The ordinance declares that certain 2000 Chevrolet G3500 Van (Vin 1GAHG39R9Y1273972, Vehicle Number 4040-20) valued at \$5,000 to be surplus to the needs of the City and authorizes the appropriate officials of the City to transfer title of said property to Northeast Florida Healthy Start Coalition, Inc. for use as a transport vehicle for expectant mother, at no cost, in accordance with Section 122.812 (C) *Ordinance Code*; the ordinance designates the Fleet Management Division of the Finance and Administration Department to monitor actual use of said property; it provides for a reverter.

Background Information: The surplus vehicle is needed by Northeast Florida Healthy Start Coalition, Inc. to be used as transport vehicle for expectant mothers, served by Healthy Start, to doctor appointments and other destinations related to their health and the health of their children. The City finds that providing the surplus vehicle to Northeast Florida Healthy Start, Inc. is a valid public purpose. The disposition authorized is conditioned upon Northeast Florida Healthy Start Coalition, Inc. using the said vehicle for the purpose of the transport of expectant mothers and the coalition agrees to convey the vehicle back to the City in the event that the vehicle is not used for stated purposes.

Policy Impact: Surplus Property/Transport of Expectant Mothers

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2019-170

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 13, 2019

Type of Action: Appropriation and CIP amendment

Bill Summary: This bill is an appropriation of \$617,587.48 from residual balances from completed Capital Improvement Projects and General Fund Debt Service interest. The appropriated funds will not lapse but will carryover into fiscal year 2019-2020. The CIP will be amended to provide funding for the fire station repair projects.

Background Information: The purpose of this appropriation is to provide funding for fire station repairs countywide. Various fire stations require miscellaneous repairs, such as roof repairs, interior repairs and renovations, HVAC, repairs related to water intrusion, and various other repairs.

Policy Impact Area: Fire stations

Fiscal Impact: Appropriation of \$617,587.48 as initiated by B.T. 19-062 from CIP residual balances

Analyst: Hampsey

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Bill Type and Number: Ordinance 2019-171

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 14, 2019

Type of Action: Approval of legal settlement; appropriation

Bill Summary: The bill appropriates \$317,000 from General Fund/General Services District fund balance to provide funding for settlement of a lawsuit entitled Eric Mitchell v. City of Jacksonville et al., approves the settlement agreement and authorizes the General Counsel to take such action as needed to conclude the litigation.

Background Information: Eric Mitchell, an employee of the Fire and Rescue Department, filed suit against the department and the City alleging racial discrimination and retaliation in relation to a job reassignment. In order to avoid the cost and uncertainty of a jury trial, the parties have negotiated a settlement in the amount of \$317,000, of which Mr. Mitchell will receive \$42,000 and his attorneys will receive \$275,000. The settlement provides that Mr. Mitchell will be reassigned as a Captain to the position of Special Event Coordinator, which position he may retain in the event he is promoted to District Chief. In return, Mr. Mitchell agrees to dismiss the case against the City.

Policy Impact Area: Legal settlement

Fiscal Impact: The bill appropriates \$317,000 from General Fund/General Services District fund balance

Analyst: Clements

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Bill Type and Number: Ordinance 2019-172

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU, F

Date of Analysis: March 8, 2019

Type of Action: Approval and authorization of an agreement to settle demolition and nuisance liens

Bill Summary: The bill approves and authorizes the execution and delivery of a Lien Agreement to settle demolition and nuisance liens with the City of Jacksonville, Trout River Opportunity Fund, LLC, Corner Lot Development Group, LLC, and Breeze Homes, LLC; directs the Finance and Administration Department, the Planning and Development Department, and the Neighborhoods Department to monitor compliance with the lien agreement; and authorizes termination of the lien agreement if the developer fails to meet a deadline to apply for and successfully obtain the required Environmental Resource Permit on or before June 1, 2019.

Background Information: Trout River Opportunity Fund, LLC is the current owner of the vacant property located at 5809 Trout River Boulevard, Real Estate Number 021161-0000. The property was previously operated as a mobile home park. The property was cited several times by a Municipal Code Compliance Officer for various safety conditions in direct violation of the Jacksonville Ordinance Code. Citations included one demolition lien and five nuisance liens with a total amount of, fines and interest, \$128,147.56. The developers (Corner Lot Development Group and Breeze Homes) request the reduction of the previous liens to move forward with construction and installation of a new utility pipe and line system. This project is estimated at \$2,000,000.00.

According to Section 112.110 (e), *Ordinance Code*, all settlements of delinquent liens over \$100,000.00 must be approved by the City Council. Thus, the agreement states that the City will only reduce the liens after the Neighborhoods Department, and the Planning and Development Department has sent written notification to the Finance and Administration Department that the work has been performed in satisfaction with standards outlined in Chapter 518, Chapter 320, and Chapter 366, *Ordinance Code*. The specifics of the project are outlined in (1) the Water Main Extension Site Plan, and (2) the Geotechnical Exploration Trout River Water Main Report Dated May 15, 2018. NOTE: This legislation authorizes the Mayor to terminate the Lien Agreement as indicated for failure acquire a necessary permit or extend the deadline, in writing, for up to an additional 180 days.

Policy Impact Area: Demolition and nuisance liens

Fiscal Impact: The reduction of liens for \$128,147.56, to honor the settlement agreement for a new utility pipe and line system estimated at \$2,000,000.00.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2019-173

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 13, 2019

Type of Action: Appropriation

Bill Summary: This bill is an appropriation of \$764,283 from FY 2018 fund balance within the Kathryn Hanna Park subfund 1D2. This appropriation reduces the General Fund - GSD loan to Kathryn Hanna Park subfund 1D2 from \$846,320.00 to \$82,037.00, with the remaining balance to be repaid as part of the fiscal year 2020 budget.

Background Information: The purpose of this legislation is to reduce the fiscal year 2019 General Fund – GSD loan and place the funding into a contingency for initial funding of the Cure Violence Program pending the development of a completed scope of work and services. Cure Violence is a teaching, training, research and assessment organization focused on a health approach to violence prevention. The Cure Violence health model is used by more than 50 communities in the U.S., as well as in other countries. The Cure Violence Health Model uses the same three components that are used to reverse epidemic disease outbreaks: 1) Interrupting transmission of the disease. 2) Reducing the risk of the highest risk. 3) Changing community norms.

Policy Impact Area: Violent crime reduction

Fiscal Impact: Appropriation of \$764,283 as initiated by B.T. 19-071

Analyst: Hampsey

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Bill Type and Number: Resolution 2019-174

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU, F

Date of Analysis: March 13, 2019

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$30,000 in Federal Pass-Through Grant funds from the Florida Department of Transportation (FDOT) to reimburse the City for its participation in the design and project management.

Background Information: The appropriation provides funding to reimburse the City for its participation in the design and project management for sidewalk improvements on Cedar Point Road from east of Grover Road to west of Boney Road based on actual time spent on the Project up to a maximum of \$30,000.

Policy Impact Area: Sidewalk improvements

Fiscal Impact: Appropriating \$30,000

Analyst: Distel

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Bill Type and Number: Ordinance 2019-175

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU

Date of Analysis: March 15, 2019

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and/or disclaims a portion of the right-of-way of East 7th Street, established in Plat Book 6, page 9, of the Current Public Records of Duval County, Florida, in Council District 7, at the request of Duval Station Landing, LLC, the owner of the property abutting the right-of-way; provides for approval subject to conditions.

Background Information: Ordinance 2007-73-E closed the southerly portion of the same East 7th Street right-of-way to accommodate plans to construct an apartment complex at the applicant's request. The applicant is now requesting the closure of the remaining portion of the unopened and unimproved right-of-way abutting its property in order to maintain the area as an aesthetically pleasing buffer for the benefit of its tenants and abutting residential owners. Upon closure, all of the property will revert to the applicant. The closure and abandonment by the City of its interest in the portion of the right-of-way is subject to the execution and delivery to the City by applicant of a hold harmless covenant. The closure and abandonment shall not be recorded in the Public Records until execution and delivery of the required hold harmless covenant. There were no objections from City, State or utility agencies to the closure of the remaining portion of the right-of-way.

Policy Impact: Public Works/Real Estate Division

Fiscal Impact: The applicant has paid a \$2,091.00 right-of-way closure application fee which has been deposited into the General Fund.

Analyst: Jackson

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Bill Type and Number: Resolution 2019-176

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU

Date of Analysis: March 13, 2019

Type of Action: Maintenance agreement

Bill Summary: This ordinance approves a construction and maintenance agreement between the City of Jacksonville and the Florida Department of Transportation for construction of a multi-use trail (Timucuan Trail).

Background Information: Under the Construction and Maintenance agreement, FDOT will, at no cost to the City, undertake a project for the construction of a minimum 10 foot wide and approximately 2,413 foot long asphalt/concrete multi-use trail within the Florida State Road 105 right-of-way from Milepost 0.941 to Milepost 1.398, including without limitation, signs and pavement markings, curb ramps, all drainage and landscape features, and pedestrian bridge over Haulover Creek.

Policy Impact Area: Multi-use trail construction

Fiscal Impact: Oversight cost by the Public Works Department and Parks and Recreation Department and maintenance of property.

Analyst: Distel

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Bill Type and Number: Ordinance 2019-177

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 13, 2019

Type of Action: Appropriation

Bill Summary: This bill is an appropriation of \$3,325,000 in residual FY 2018 debt service capacity within the Sports Complex Maintenance subfund. The debt service transfer does not impact FY 2019 debt service budgets or payments.

Background Information: The purpose of the appropriation is to provide funding for various capital improvement projects in the sports and entertainment area as well as appropriate available revenue within the Amphitheater subfund for various capital improvement projects.

Policy Impact Area: Sports and entertainment area capital improvement projects

Fiscal Impact: Appropriation of \$3,325,000 as initiated by BT 19-070

Analyst: Hampsey

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Bill Type and Number: Ordinance 2019-178

Introducer/Sponsor(s): Council Member Newby

Date of Introduction: March 12, 2019

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

Date of Analysis: March 8, 2019

Type of Action: Appropriation

Bill Summary: The bill appropriates a total of \$254,840.00 from the Tree Protection and Related Expenses Trust Fund, Ordinance Subfund 15F, for the project known as Moncrief Road Beautification along Moncrief Road from 33rd Street to 45th Street, in Council District 8; provides for reversion of unspent funds; provides for the Public Works Department to oversee the project; and authorizes the procurement of services for the selection of a landscape contractor.

Background Information: Moncrief Road Beautification Project is an opportunity to focus on revitalization and community pride. The diet study will provide critical information regarding the probability of future development in the area between Golfair Boulevard and 45th Street.

The appropriation is covering the installation of trees not included in the CIP budget. The eight (8) different types and approximately 142 trees are designated for installation. The eight (8) different types include Cal. Swamp Chestnut Oak, Cal. Standard Crape Myrtle, Cal. Eagleston Holly, Cal. Redbud, Cal. Loquat/Japanese Plum, Cal. Chickasaw Plum/Flatwoods Plum, and Washingtonia Palm. The additional expenses along with the installation include tree removal, vegetation removal for tree planting, application of soil mix, and fertilizer application for trees is included in the expenses.

Policy Impact Area: Moncrief Road Beautification Project

Fiscal Impact: The appropriation of \$254,840.00 towards tree planting for the Moncrief Road Beautification project.

Analyst: Mitchell

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Bill Type and Number: Resolution 2019-179

Sponsor: Introduced by Councilman Member Crescimbeni and Co-sponsored by Council Member Morgan

Date of Introduction: March 12, 2019

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

Date of Analysis: March 13, 2019

Type of Action: Appropriation

Bill Summary: The purpose of the appropriation is to provide total funding of \$269,000.00 for improvements to the Tree Hill property in Arlington. \$103,000 will be used for acquisition of the property at 7150 Lone Star Road, Jacksonville, and \$166,000.00 for the construction of certain improvements as specified in the Agreement to renovate a house into office space and to add parking.

Background Information: The City is authorized to procure the use of the services of Tree Hill, Inc. to coordinate and oversee the acquisition and improvement of the property. The Ordinance Code (Section 126.107) says that the procurement is exempt from competitive solicitation. Ordinance 2018-505-E, being the 2019-2023 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is hereby amended to provide funding for the Project entitled "Tree Hill Expansion & Improvements". The Council finds that the deferral of this amendment of the CIP until the next annual budget and CIP review will be detrimental to the best interests of the community because such deferral would eliminate the opportunity to acquire the property and develop the improvements for the Tree Hill Nature Center. The City of Jacksonville's Parks, Recreation and Community Services Department shall oversee the project described in this Ordinance.

Policy Impact Area: Acquisition of property and construction

Fiscal Impact: Appropriating \$269,000

Analyst: Distel

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Bill Type and Number: Ordinance 2019-180

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

Date of Introduction: March 12, 2019

Committee(s) of Reference: NCSPHS, F

Date of Analysis: March 14, 2019

Type of Action: Authorization to issue health care facilities revenue bonds

Bill Summary: The bill authorizes the issuance by the City of up to \$380,300,000 in health care facilities revenue bonds on behalf of Southern Baptist Hospital of Florida, Inc. (Baptist) for the purpose of refunding previously-issued hospital revenue bonds. It provides that the bonds shall not constitute a debt or liability of the City, appoints a bond trustee, and authorizes a delegated negotiated sale of the bonds.

Background Information: The City has previously issued health care facility revenue bonds as a conduit issuer on behalf of Baptist on several occasions. The proceeds of this 2019 bond issue will be used to refund the following outstanding bond issues:

- A) Hospital Revenue Bonds, Series 2001
- B) Hospital Revenue Bonds, Series 2003A, Series 2003B, and 2003C
- E) Hospital Revenue Bonds, Series 2004
- F) Hospital Revenue Bonds, Series 2007B, Series 2007C, Series 2007D, Series 2007E
- J) Hospital Revenue Bonds, Series 2010A, Series 2010B, Series 2010C
- M) Hospital Revenue Bonds, Series 2012A, Series 2012B, and Series 2012D

Collectively those bond issues paid for a variety of construction and equipment purchase projects at many of the Baptist Medical Center hospitals and other facilities across Northeast Florida. The City has no financial liability for these bonds; repayment is solely the responsibility of Baptist Medical Center.

Policy Impact Area: Health care facility improvement

Fiscal Impact: No impact to City; financial responsibility for the bonds lies with Baptist Medical Center

Analyst: Clements

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Bill Type and Number: Ordinance 2019-182

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU, R

Date of Analysis: March 14, 2019

Type of Action: Expression of Council sentiment

Bill Summary: The resolution encourages the City and the Jacksonville Aviation Authority to reevaluate the potential to extend the runways at Jacksonville Executive (JAXEX) at Craig Airport.

Background Information: Craig Airport was built in the early 1940s as a military training field and turned over to the City after the conclusion of World War II for public operation. The airport has been operated as a reliever field to Jacksonville International Airport to accommodate private plane operations and storage, flight schools and the like. The airport accommodated about 153,000 flight operations in 2018.

The subject of extending the length of one of the runways at the airport from the current 4,000 feet has been much debated over the past 20 years. Proponents of extension argue that the longer runway would provide a greater margin of safety for pilots during takeoffs and landings and thereby increase the overall safety of airport operations and the surrounding community. Opponents argue that increasing the length would attract more and larger aircraft, particularly jets, which would generate more noise in the surrounding residential neighborhoods.

A number of pieces of legislation have been filed over the years regarding the runway extension issue:

- Resolution 2000-746-A – expressing opposition to any runway extension at Craig Airport
- Resolution 2003-829-A – approving sale of JAA revenue bonds but prohibiting any use of proceeds for Craig runway extension
- Resolution 2007-984/withdrawn – opposing extension of Craig Airport runways
- Resolution 2007-1240-A – transmitting a Comp Plan amendment to the state for review which strikes the prohibition against expanding Craig Airport runways from the Comp Plan
- Resolution 2008-39/withdrawn – supporting Local Bill J-1 to amend the JAA’s charter to require approval by a 2/3 vote of City Council before Craig Airport runways could be extended
- Resolution 2008-249/withdrawn – adopting the Comp Plan amendment that would strike the prohibition against expanding Craig Airport runways
- Ordinance 2008-918-E – amending the FY08-09 budget to remove projects related to Craig Airport runway extension from the 5-year CIP

Policy Impact Area: JAXEX at Craig Airport operations

Fiscal Impact: No immediate impact

Analyst: Clements

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Bill Type and Number: Ordinance 2019-183

Introducer/Sponsor(s): Council Members Crescimbeni and Becton

Date of Introduction: March 12, 2019

Committee(s) of Reference: TEU, F

Date of Analysis: March 14, 2019

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends the Ordinance Code by repealing the current Chapter 220 – Vehicles for Hire – and by adopting a new Chapter 220 – Vehicles for Hire - to reflect a revision in the regulations for taxicabs. The new chapter excludes the regulations from application within the Beaches cities and the Town of Baldwin and shifts the administration of the chapter to the Director of Finance and Administration (from the Public Parking Division and Fleet Management previously). The Florida Legislature last year preempted regulation of Transportation Network Companies (i.e. Uber and Lyft) to the state. This new chapter generally revises the City's taxi regulations to mirror the state's TNC regulations. It eliminates the taxi medallion and medallion renewal requirement but retains the taxi-specific provisions regarding hailing on the street, designation and proper use of taxi stands, driver conduct, standards of service, dealing with lost and found items, etc.

Background Information: The insurance provisions require taxis to follow the State requirements for taxis found in the Florida Statutes. The local and national background checks for taxi drivers will be performed either by the taxi company directly or via a third-party contractor every 3 years. Reporting on compliance with the driver background check and vehicle insurance requirements shall be done by the taxi company every 2 years on a retrospective basis (reporting the results of the last 2 years) via submission of a report prepared by an independent CPA to the City's Finance and Administration Department. If a finding of non-compliance with either the insurance or driver background check requirements is made, the City shall impose a fine of \$10,000 and shall require the submission of another CPA-produced report by January 1 of the following year evaluating the records of the vehicle for hire business since the last review. If that review finds non-compliance, then a \$20,000 fine shall be imposed.

Policy Impact Area: Vehicle for hire regulation

Fiscal Impact: Undetermined – the City will forego taxi medallion revenue, but will no longer bear the expense of performing vehicle inspections and driver background checks.

Analyst: Clements