

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2015-196

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: March 26, 2015

Type of Action: Appropriation; authorization to close CIP projects; CIP amendment; Banking Fund de-authorization;

Bill Summary: The bill appropriates \$4,339,878 from the Stormwater Services – Capital Projects fund to a Special Council Reserve – Stormwater account to reallocate “pay-as-you-go” funds and interest earnings from 15 stormwater projects or citywide stormwater function accounts to other stormwater uses and appropriates \$2,589,648.52 from Stormwater Services – Operating and Capital funds to the Drainage System Rehabilitation account. It authorizes the Public Works Department to close-out a specified list of completed stormwater projects and amends the 2014-19 Capital Improvement Program to decrease the budget authorization amounts for the adjusted projects. The bill de-authorizes \$1,918,865 in Banking Fund borrowing authorization associated with 13 listed projects

NOTE: See companion Ordinance 2015-197

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 reallocates pay-as-you-go funding and interest earnings from 15 projects, closing 6 and leaving 9 open for future work, and reallocates \$2,589,648.52 from stormwater utility operating expenses to capital project construction.

Policy Impact Area: Stormwater project funding

Fiscal Impact: The bill appropriates \$4,339,878 from the Stormwater Services – Capital Projects fund to a Special Council Reserve – Stormwater account and appropriates \$2,589,648.52 from Stormwater Services – Operating and Capital funds to the Drainage System Rehabilitation account.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-197

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: March 26, 2015

Type of Action: Appropriation; CIP amendment; Banking Fund de-authorization

Bill Summary: The bill appropriates \$4,339,878 from the Special Council Reserve – Stormwater account to 6 stormwater projects in order to substitute “pay-as-you-go” dollars for Banking Fund borrowing to supplement funding shortfalls for those projects. The bill amends the 2014-19 Capital Improvement Program to reflect the changes in funding amounts and sources for the amended project and de-authorizes \$4,339,878 in Banking Fund borrowing previously authorized for the projects. The bill also acknowledges and authorizes \$1,496,456.60 in Banking Fund cash reclassification from 9 stormwater projects to 6 alternative stormwater projects to fully reconcile the Banking Fund cash in the Stormwater Capital Projects fund.

NOTE: See companion Ordinance 2015-196

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 appropriates the \$4,339,878 deposited into a Special Council Reserve – Stormwater account by Ordinance 2015-196 to complete 6 projects without recourse to further Banking Fund borrowing and shifts excess Banking Fund cash from 9 completed projects to 6 other projects requiring additional cash.

Policy Impact Area: Stormwater project funding

Fiscal Impact: The bill appropriates \$4,339,878 from the Special Council Reserve – Stormwater account to 6 stormwater projects, de-authorizes \$4,339,878 in Banking Fund borrowing previously authorized for the projects, and authorizes \$1,496,456.60 in Banking Fund project-to-project cash reclassifications.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-198

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: March 26, 2015

Type of Action: Appropriation; CIP amendment

Bill Summary: The bill appropriates \$1 million from the General Capital Projects fund - Stormwater Master Plan/TMDL and appropriates \$1,630,514 from Stormwater Operating fund/Contractual Services/BMAP Credit to 5 drainage projects and amends the 2014-19 Capital Improvement Program to reflect the changes to the project

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 reallocates \$1,630,514 from the stormwater utility's operating account originally programmed for purchasing water quality credits to capital accounts for project construction purposes and

Policy Impact Area: Stormwater project funding

Fiscal Impact: The bill appropriates \$1 million from the General Capital Projects fund - Stormwater Master Plan/TMDL and appropriates \$1,630,514 from Stormwater Operating fund/Contractual Services/BMAP Credit to 5 drainage projects

Analyst: Clements

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Bill Type and Number: Ordinance 2015-199

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: TEU, F

Date of Analysis: March 26, 2015

Type of Action: Appropriation; CIP amendment

Bill Summary: The bill appropriates \$1,501,550 from the Drainage System Rehabilitation - Stormwater Capital Projects account to 4 drainage construction projects and to create a judgements and settlements account within the stormwater utility. The bill amends the 2014-19 Capital Improvement Program to include the listed projects and budget amounts.

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 reappropriates "pay-as-you-go" funding from the Drainage System Rehab fund to specific project uses.

Policy Impact Area: Stormwater project funding

Fiscal Impact: The bill appropriates \$1,501,550 from the Drainage System Rehabilitation - Stormwater Capital Projects account to 4 drainage construction projects and to create a judgements and settlements account.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-202

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

Date of Introduction: March 25, 2015

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

Date of Analysis: March 23, 2015

Type of Action: Amending Chapter 111 (Special Revenue and Trust Accounts) in the *Ordinance Code*

Bill Summary: This bill approves the transfer of the Zoning Code Enforcement Revolving Fund from the Planning and Development Department to the Regulatory Compliance Department; and directs the Finance Department to identify and separate the monies derived from collection of fines for violations of Chapter 656, *Ordinance Code*.

Background Information: In 2007, Planning and Development Department and previously named Environmental and Compliance Department among several other City agencies and departments were reorganized by Ordinance 2007-839-E. The function and duties of zoning code enforcement were transferred to the Municipal Code Compliance Department. The MCC officers consistently enforce compliance with the zoning code. The funds will be used for overtime, overhead, staff support and other necessary expenses of additional zoning code enforcement support.

The Director of Finance is authorized and directed to make disbursements from the special revenue fund upon request of the Director of Regulatory Compliance Department. Monies deposited in the fund shall remain available for expenditures and shall not lapse at the end of any fiscal year.

Policy Impact Area: Planning and Development Department, Regulatory Compliance Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-203

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: R, TEU

Date of Analysis: March 23, 2015

Type of Action: Amending Chapter 654 (Code of Subdivision Regulations) in the *Ordinance Code*

Bill Summary: This bill amends Chapter 654, Section 654.142 (a) (Subdivision Standards and Policy Advisory Committee) *Ordinance Code* to replace “private utilities” profession with the “Underground Utility Contractor” profession; and amend subsection (5) to add “Construction Management”.

Background Information: The Subdivision Standards and Policy Advisory Committee was established to review and revise standards and policy to implement the objectives of this Chapter. Additionally, the committee will inform Council members and advise the appropriate Council committees of its decisions, with respect to any issues concerning land development (excluding traffic engineering and roadway design issues), sidewalks, bicycle lanes, multi-use paths or disability access on such facilities.

The committee is composed of ten members with five members being appointed by the Mayor. These members are representatives from the homebuilding industry, engineering profession, land developers, land surveying profession, and underground utility contractor profession. The remaining five members are: Chief, Community Planning Division; Chief, Environment Quality Division; Director, Water and Waste Water, JEA; Chief- Right of Way & Stormwater Maintenance Division; and Chief, Engineering and Construction Management.

Policy Impact Area: Planning and Development Department

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-204

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 25, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: March 27, 2015

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$160,125 from Fund Balance to increase funding for 2015 summer camps and create an additional 427 seats for needy children across the City, as initiated by B.T. 15-051.

Background Information: The purpose of the appropriation is to increase funding for 2015 summer camps. The funding was identified from prior year contract encumbrances that were released this fiscal year. The funding will create an additional 427 seats for needy children across the City and bring total funding for summer camps from \$1,773,454 to \$1,933,579, closer in line with last year's funding.

Policy Impact: Summer Camps/Parks, Recreation & Community Services

Fiscal Impact: The ordinance appropriates \$160,125 from Fund Balance.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-205

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 25, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: March 27, 2015

Type of Action: Appropriation; Hours Approval

Bill Summary: The ordinance appropriates \$59,736 (A \$44,136 Library Services and Technology Act Grant (14-LSTA-B-03) and \$15,600 from the Reserve for Federal Grants Account) for the Literacy Works @ JPL Project, a project which will provide funding for over 900 Literacy/English as a Second Language classes for low income people in Duval County, as initiated by B.T. 15-053; the ordinance approves part-time hours, as initiated by R. C. 15-114.

Background Information: The Jacksonville Public Library collaborates with a number of agencies and non-profits to provide educational services to citizens throughout the City. The program that this ordinance funds enables Literacy Works @JPL enables the agency to use the library's facilities to provide literacy classes for low income people.

Policy Impact: Jacksonville Public Library/Education

Fiscal Impact: The ordinance appropriates \$59,736 in a grant and City match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-206

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: F, RDCPHS

Date of Analysis: March 26, 2015

Type of Action: Appropriation; carry-over authorization; CIP amendment; designation of oversight agency

Bill Summary: The bill appropriates \$124,673.94 from the Facilities Capital Maintenance – Contributions from Private Sources account to a Capital Projects – Other Construction Costs account to appropriate the final settlement received from Turner Construction in regard to exterior and structural repairs at the Veterans Memorial Arena. Carry-over to FY15-16 is authorized and the 2014-19 Capital Improvement Program is amended to increase the funding for the Facilities Capital Maintenance – Government account by the same amount. The Public Works Department is designated as the City's oversight agency for the project.

Background Information: This bill appropriates a legal settlement (not yet received) from Turner Construction to compensate the City for construction costs incurred in making repairs to the exterior of the Veterans Memorial Arena after it was discovered that one of Turner's subcontractors during the building's initial construction failed to install connectors intended to secure the brick facing of the building to the internal structure. The City hired a contractor to make repairs and sued Turner Construction for damages.

Policy Impact Area: Legal settlement; building repairs

Fiscal Impact: The bill appropriates a \$124,673.94 legal settlement to reimburse repair expenses.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-212

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

Date of Introduction: March 25, 2015

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

Date of Analysis: March 26, 2015

Type of Action: Ordinance Code amendment; appropriation

Bill Summary: The bill amends Ordinance Code Chapter 111 – Special Revenue and Trust Accounts – to create a new Sidewalk Construction Special Revenue Fund to receive and expend developer contributions to the City in lieu of constructing sidewalks as required by the Land Development Procedures Manual as well as any private contributions and funds as may be appropriated by the City Council from time to time for the purpose of constructing needed sidewalks throughout the city. The bill also amends Chapter 654 – Code of Subdivision Regulations – to insert a provision that funds provided to the City by developers in lieu of constructing required sidewalks shall be deposited into this new fund. It also directs that the Land Development Procedures Manual be amended to the extent necessary to change references from the current “sidewalk fund” to the new Sidewalk Construction Special Revenue Fund.

The bill appropriates \$21,975 from the Public Works – Sidewalk and Curb Repairs Sidewalk/Curb Construction and Repair account and \$112,660 from the General Fund – Transfers From Fund Balance account to the new Sidewalk Construction Special Revenue Fund.

Background Information: During the course of its work, the Special CIP Committee learned that funds that when developers opt to make a cash payment to the City as provided in the Land Development Procedures Manual in lieu of constructing sidewalks in their developments, the funds are placed into a Public Works sidewalk and curb repair and construction account and, if not used within the fiscal year received, any excess funds are swept into the General Fund balance account at the end of the year. The committee feels that these sidewalk funds should be segregated into an all-years fund and not subject to lapse and sweeping at the end of a fiscal year. This bill creates a special revenue fund for sidewalk construction purposes which may be disbursed at the written request of the Director of Public Works in accordance with Chapter 654 of the Ordinance Code for approved uses. The bill also recaptures \$112,660 in sidewalk funds that were swept to fund balance at the end of FY13-14.

Policy Impact Area: Sidewalk construction fund

Fiscal Impact: The bill appropriates \$21,975 in current year funds and \$112,660 in recaptured funds from the previous fiscal year fund balance into the new special revenue fund.

Analyst: Clements

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Bill Type and Number: Ordinance 2015-213

Sponsor: Council Members Bishop and Love:

Date of Introduction: March 25, 2015

Committee(s) of Reference: R; RCDPHS

Date of Analysis: March 27, 2015

Type of Action: Ordinance Code Amendment

Bill Summary: The ordinance amends Section 28.723 (Boating) and 23.724 (Swimming and Beach Activities), Chapter 28, (Parks, Recreation and Community Services), *Ordinance Code*, to allow for swimming by authorized City permit; it amends Section 616.119 (Swimming Prohibited in St. Johns River Where Posted), Chapter 616 (Streets and Sidewalks), *Ordinance Code*, to allow for swimming by authorized City permit.

Background Information: This legislation was designed for special events. The Ordinance Code currently prohibits individuals from diving from City-owned docks, swimming in bodies of water on or around public parks, and swimming in the St. Johns River from City-owned property in certain areas designated by the Parks, Recreation and Community Services Department. Anyone wishing to swim in the river or other water bodies would have had to acquire an Ordinance Code waiver. This ordinance would allow individuals to swim in the river or other water bodies with a City permit from the Parks, Recreation and Community Services Department.

Policy Impact: Ordinance Code/Parks, Recreation & Community Services Department

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-214

Introducer/Sponsor(s): Council Member Jones

Date of Introduction: March 25, 2015

Committee(s) of Reference: R, RCDPHS

Date of Analysis: March 23, 2015

Type of Action: Amending *Ordinance Code* regarding prohibitions of sexual offenders and predators

Bill Summary: This bill amends Chapter 685 (Sexual Offender and Sexual Predator Regulation) and Chapter 685.104 (Prohibited Activities for Sexual Offenders) to more clearly define for law enforcement the types of events, decorations and costumes that sexual predators and sexual offenders are prohibited from using.

Background Information: The Jacksonville Sheriff's Office suggested several amendments to the existing Chapter 685 of the *Ordinance Code*, based upon the officers' experience in the field, in order to minimize or prevent attacks on children during vulnerable times of the year such as, but not limited to, Valentine's Day, Halloween, Easter Christmas, fall festivals, school parties, etc.

Sexual offenders and predators are not permitted to wear costumes, clothing, makeup, mask or anything that would alter a person's appearance; and must avoid all Halloween related contact with children. Additionally, a legible sign (clearly visible from the street) must be posted at sexual offenders and predators' residence, vessel or vehicle stating "no candy or treats here" from 6:00am to 11:59pm, on October 31st (or any other day Halloween is celebrated). Decorations are not allowed to be visible from the exterior of any sexual offender or predator's residence, vehicle of vessel, or any property which is leased, rented, owned or occupied by such person.

Policy Impact Area: Jacksonville Sheriff's Office

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2015-215

Sponsor: Council President Yarborough:

Date of Introduction: March 25, 2015

Committee(s) of Reference: R; F

Date of Analysis: March 27, 2015

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$470,108.94 (\$100,000 from Designated Contingency for the Supervisor of Elections and \$370,108.94 from the General Fund/General Service District Fund Balance) to fund the general election in May; the ordinance recognizes that the City will pursue State reimbursements for the Special Primary Election in December 2014 and Special General Election in February 2015; it provides for a reverter of unused funds to the General Fund; requires approval of two-thirds of the Council Members present, pursuant to 106.215(B), *Ordinance Code*.

Background Information: The purpose of the appropriation is to provide funding for the general election in May. The Supervisor of Elections Office paid for the expenses of the Special Primary Election in December 2014 and the Special General Election in February 2015 ordered by the Governor as a result of a vacancy in the State House District 13 office. The Supervisor of Elections intends to seek reimbursement from the State for the expenses of these special elections, but will not have the funds available for use in the May General election.

Policy Impact: Supervisor of Elections Office

Fiscal Impact: The ordinance appropriates \$470,108.94

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-216

Sponsor: Council Member Jones:

Date of Introduction: March 25, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: March 27, 2015

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$30,000.00 from the Old Kings Road Landfill Mitigation account to fund park security cameras for Johnnie Walker Community Center and Hammond Park in Council District 9; it provides for oversight by the Parks, Recreation and Community Services Department.

Background Information: Johnnie Walker Community Center is located at 2500 West 20th Street; Hammond Park is located at 2142 Melson Avenue. The scope of the work for the camera installment project entails the installation of cameras atop four 15' poles with sufficient wiring for a total of four (4) cameras.

Policy Impact: Parks, Recreation and Community Services Department

Fiscal Impact: The ordinance appropriates \$30,000.00

Analyst: Jackson

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Bill Type and Number: Resolution 2015-218

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 25, 2015

Committee(s) of Reference: R

Date of Analysis: March 25, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Jill F. Bechtold as a member of the Jacksonville Children's Commission, replacing Jill Smith as a School Board District #7 representative, for a first term ending July 15, 2018.

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.

Ms. Bechtold received a law degree from the University of Florida and is an Attorney with *Marks Gray, P.A.* She resides within Council District #13 (School Board District #7).

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 2015-219

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 25, 2015

Committee(s) of Reference: R

Date of Analysis: March 25, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of LeAnna G. Cumber as a member of the Jacksonville Children's Commission, filling the seat formerly held by Craig Gibbs as a School Board District #3 representative, for a partial term 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.

Ms. Cumber received a law degree from the University of Southern California and is the CEO with *H.A. Cumber & Company, Inc.* She resides in the San Marco area within Council District #5 (School Board District #3).

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 2015-220

Sponsor: Council President at the request of the Chief Judge for the Fourth Judicial Circuit

Date of Introduction: March 25, 2015

Committee(s) of Reference: R

Date of Analysis: March 26, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Chief Judge's appointment of Richard A. Brown to the Jacksonville Ethics Commission, replacing Leslie Jean-Bart, for a partial term ending December 31, 2016.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the Chief Judge for the Fourth Judicial Circuit and confirmed by Council.

Mr. Brown received a law degree from the University of Florida and is an Attorney in private practice.

NOTE: Mr. Brown's residential address and voter status were not available at the time of the bill summary.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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Bill Type and Number: Resolution 2015-221

Sponsor: Council President at the request of the State Attorney

Date of Introduction: March 25, 2015

Committee(s) of Reference: R

Date of Analysis: March 26, 2015

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the State Attorney's appointment of Brian Aull to the Jacksonville Ethics Commission, replacing L.E. Hutton, for a first term.

Background Information: The Jacksonville Ethics Commission is established pursuant to Chapter 602, Part 9, *Ordinance Code*, and empowered to review, interpret, render advisory opinions and enforce Chapter 602, *Ordinance Code*; and, in accordance with Section 1.202, *Municipal Charter*, to exercise the following powers and duties:

- Authorized to receive, and to investigate and issue findings with regard to complaints alleging an ethics violation;
- Provide assistance and input into the management and coordination of the training and education of local officers and employees in state and local ethics, including the City's Ethics Education Program, as well as all public records and sunshine law training throughout the government;
- May, upon employee or citizen complaint, or upon its own initiative, seek information and gather facts for the purpose of reviewing any circumstance or situation of which the Commission may become aware that appears to violate or may potentially violate an acceptable standard of ethics conduct for City officers and employees;
- Jurisdiction to levy those civil fines or penalties authorized in Chapter 602 for violations of the City's ethics code; and
- Act as the hiring committee, subject to Council confirmation, for the executive director of the Ethics Oversight and Compliance office.

Section 602.912, *Ordinance Code*, provides that one of the nine members of the commission shall be appointed by the State Attorney for the Fourth Judicial Circuit and confirmed by Council.

Mr. Aull received a law degree from the University of North Carolina at Chapel Hill and is an associate with *Cole, Scott & Kissane, P.A.* He is a registered voter residing in Duval County.

NOTE: The term expiration date may need to be amended to **December 31, 2017**. Section 602.912(a), *Ordinance Code*, provides for **three-year terms** on the Ethics Commission.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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 2015-223

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 25, 2015

Committee(s) of Reference: F; RCDPHS

Date of Analysis: March 27, 2015

Type of Action: Appropriation; CIP Amendment

Bill Summary: The ordinance appropriates a \$20,000 grant from the United States Tennis Association for the reconstruction and conversion of six tennis courts at Southside Tennis Complex, as initiated by B.T. 15-041; it provides a carryover of funds to Fiscal Year 2015-2016; the ordinance amends the 2015-2019 Five-Year Capital Improvement Program, approved by Ordinance 2014-467-E, to increase funding for the project entitled "Southside Park – Southside Tennis Courts"; provides for City oversight by the Department of Parks, Recreation and Community Services.

Background Information: The goal of this grant from the United States Tennis Association is to provide communities access to safe, appealing and functional tennis environments. The essence of the initiative is to assist communities, leveraging their tennis facilities to promote lifelong healthy activity, and to improve their programming by advancing the latest tennis innovations for all program types. The Southside Tennis Complex is located in Council District 5.

Policy Impact: Parks, Recreation and Community Services Department

Fiscal Impact: The ordinance appropriates a \$20,000 grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2015-224

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: LUZ

Date of Analysis: March 23, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$238,909 from the Northwest Jacksonville Economic Development Fund to provide to Sea Breeze Food Service, Inc.; approves and authorizes the Mayor, or his designee, and Corporation Secretary to execute and deliver, for and on behalf of the City, the Redevelopment Agreement by and among the City of Jacksonville and Sea Breeze Food Service; and provides carryover of funds to FY 2015-2016.

Background Information: The appropriation is a grant to fund infrastructure improvements necessary for the construction of a new 16,311 square foot addition to the current facility located at 3807 Edgewood Drive. This project is expected to provide a total of 5 new jobs in Northwest Jacksonville and act as a catalyst for additional redevelopment in the area.

Policy Impact Area: Planning and Development Department

Fiscal Impact: The appropriation of \$238,909 using B.T. 15-052.

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2015-225

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

Date of Introduction: March 25, 2015

Committee(s) of Reference: F, RCDPHS

Date of Analysis: March 23, 2015

Type of Action: Appropriation

Bill Summary: This bill appropriates \$574,367.00 from the U.S. Department of Homeland Security, with no local match, to the Jacksonville Sheriff's Office through the Florida Division of Emergency Management (FDEM); approves and authorizes the Mayor, or his designee, and Corporation Secretary to execute and deliver, for and on behalf of the City, two federally-funded sub grant agreements with the State of Florida, Division of Emergency Management; provides for carryover of funds into FY 2015-2016; and provides for the oversight by the Jacksonville Sheriff's office.

Background Information: October 1, 2014 through December 31, 2015 is the designated period to purchase equipment.

- \$384,967.00 – cost necessary to strengthen interoperable operational communications capabilities and intelligence, information sharing and operational coordination.
- \$189,400.00 – cost of sustainment, critical needs and specialty team training.

Policy Impact Area: Jacksonville Sheriff's Office

Fiscal Impact: The appropriation of \$574,367.00 using B.T. 15-049.

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2015-226

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: March 25, 2015

Committee(s) of Reference:

Date of Analysis: March 26, 2015

Type of Action: Appropriation; approval of legal settlement agreement; emergency approval request

Bill Summary: The bill appropriates \$294,550 from the Drainage System Rehabilitation – Other Construction Costs account to a DSR – Judgements, Claims and Settlement account to pay for a legal settlement arising from claims of property damage due to failure of the City’s stormwater management system. The bill approves a settlement agreement between the City and Robert and Janice Fleet in the matter of Fleet v. City of Jacksonville in the amount of \$294,550 and requests one-cycle approval of this bill as an emergency.

NOTE: see companion bill 2015-199 which establishes the stormwater judgements and settlements account and appropriates funding to that account for this settlement.

Background Information: The Fleets own a small one-story commercial property (0.65 acres) on Sunbeam Road that has been damaged by flooding and erosion of a drainage channel belonging to the City. After negotiations over the value of the property and the amount of the damage, the City has agreed to pay the Fleets \$150,000 for their property and \$144,550 in plaintiff’s damages, attorney’s fees, court costs and interest to settle the case. The Property Appraiser has assigned a just value of \$237,588 to the property for 2014.

Policy Impact Area: Legal settlement

Fiscal Impact: The bill appropriates \$294,550 to a Drainage System Rehabilitation claims and settlements account to pay the cost of acquiring the property and paying plaintiff’s damages and attorney fees and costs.

Analyst: Clements