

Bill Type and Number: Ordinance 2012-190

Sponsor: The Council President at the request of the Tax Collector:

Date of Introduction: March 27, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: March 30, 2012

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance amends Section 740.107 (Statement of Costs to be Entered in Street Improvement Lien Book), Chapter 740 (Sidewalks, Curbs and Gutters), *Ordinance Code*, to modify the process for collection of assessments for curb, gutter and sidewalk projects.

Background Information: This ordinance amendment concerns a process by which property owners petition the Public Works Department to lay and install curbs, gutters and sidewalks. Presently, the Public Works Department is required to prepare a statement of costs and submit that statement of costs to the Tax Collector. The costs charged to the property owners are capped under the *Ordinance Code*. The Tax Collector enters the statement of costs into the Street Improvement Lien Book and mails or delivers to the owners of parcels a notice of completion of the work and applicable liens to cover the costs. The ordinance amendment approved by this ordinance eliminates the requirement that the Tax Collector submit the statement of costs of curb, gutter and sidewalk construction work to the City Council for approval; the precise costs are enumerated in the *Ordinance Code*.

Policy Impact: Public Works Department/Tax Collector/Ordinance Code

Fiscal Impact: Undetermined

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Bill Type and Number: Ordinance 2012-191

Sponsor: The Council President at the request of the Tax Collector:

Date of Introduction: March 27, 2012

Committee(s) of Reference: F; TEU

Date of Analysis: March 30, 2012

Type of Action: Construction Costs Approval

Bill Summary: This ordinance approves the costs of the curb and gutter project on Stockton Street, pursuant to Section 740.107 (State of Costs to Be Entered in Street Improvement Lien Book); *Ordinance Code*.

Background Information: Pursuant to Section 740.104 (Petition of property owners for laying of curb, gutters or sidewalks), *Ordinance Code*, the homeowners of the VillaRiva Condominium Association, petitioned the Public Works Department to lay and construct curbs and gutters on Stockton Street between Riverside Avenue and the St. Johns River. The Public Works Department performed the requested work. The costs to perform the work exceeded the statutory standard costs of \$12 per linear foot. Pursuant to the *Ordinance Code*, the Public Works Department prepared a statement of the costs, including the date of completion of the work and a description of the parcels upon which a lien is submitted and transmitted the statement of the costs to the Tax Collector so that the Tax Collector can enter the information in the Street Improvement Lien Book. Pursuant to Section 740.107, *Ordinance Code*, the Tax Collector is submitting the statement of the costs to the Council for approval. The site of the construction work is located in Council District 14.

Policy Impact: Public Works/Tax Collector

Fiscal Impact: The Ordinance Approves a statement of costs for construction work in the amount of \$17,766.77; the calculated property owner's participation cost is \$5,844.00.

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Bill Type and Number: Ordinance 2012-192

Introducer/Sponsor(s): Council Member Redman

Date of Introduction: March 27, 2012

Committee(s) of Reference: LUZ

Date of Analysis: March 29, 2012

Type of Action: Approval of community plan; delegation of interpretation authority

Bill Summary: The bill approves and adopts the Baymeadows Community Plan dated March 2011 to guide the development and redevelopment of the Baymeadows area. Authority to interpret the plan is delegated to the Planning and Development Department, which is required to maintain the plan on the department's web site.

Background Information: In 2010 the City Council enacted a Southeast Vision Plan after an extensive process of public input and involvement in a visioning and planning process for the future development of southeastern portion of the city. The Vision Plan included such elements as promoting mixed-use and infill development, providing greater connectivity and variety of transportation choices to increase mobility options, providing for economic growth, and providing for conservation, parks and open space. Subsequently the Baymeadows community has worked with the Planning Department and FLAGG Design Studio to craft a proposed subregional plan for the former Baymeadows golf course property.

Policy Impact Area: Community redevelopment

Fiscal Impact: No direct impact to City

Analyst: Clements

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Bill Type and Number: Ordinance 2012-197

Sponsor: Council Member Clark:

Date of Introduction: March 27, 2012

Committee(s) of Reference: R; TEU

Date of Analysis: March 30, 2012

Type of Action: Street Designation

Bill Summary: This ordinance names the green space between the new Duval County Courthouse to the north, Adams Street to the South, Broad Street to the west, and Pearl Street to the East "Law Enforcement Officer Memorial Square."

Background Information: Designating the green space around the new County Courthouse honors and memorializes all of the law enforcement officers who proudly wore the uniform and often lost their lives in the service of the County as law enforcement officers.

Policy Impact: County Courthouse/Law Enforcement Officers

Fiscal Impact: Undetermined

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Bill Type and Number: Ordinance 2012-198

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: March 27, 2012

Committee(s) of Reference: R, F

Date of Analysis: March 29, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 122 – Public Property – in Part 6 – Capital Improvement Program – to remove language requiring that City Council must make a finding before amending the CIP in mid-year that failure to defer the amendment until the next budget adoption process would be detrimental to the best interest of the community. Language is inserted to make the appropriateness of a mid-year amendment one factor among others that the Council may consider when an amendment is proposed.

Background Information: The preamble of the bill states that mid-year CIP amendments without a specific written finding of detriment to the public interest by deferring until the next budget cycle has been the long-standing practice of the City Council. Research into the history of the requirement finds that it was adopted in a 1975 revision of the CIP ordinance.

Policy Impact Area: Capital improvement program administration

Fiscal Impact: None - the bill codifies existing practice.

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Bill Type and Number: Ordinance 2012-199

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: March 27, 2012

Committee(s) of Reference: TEU, F

Date of Analysis: March 29, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 122 - Public Property - in Part 4, Subpart E – Permits for Communication Antennas and Towers on City Property – to remove references to approval of private tower and antenna leases on public property by district City Council members and to remove the requirement that lease fees for facilities on public property must be at least \$25,000 per year with an automatic CPI escalator clause. The section is also amended to allow the Chief of the Real Estate Division and the City department which has jurisdiction over the property in question to determine a fair market value for co-location leases and removes the requirement for a minimum rate of \$750 per month with an annual CPI escalator clause.

Background Information: The bill is intended to allow lease rates and co-location rates to be determined on fair market value. Additionally it removes individual council member approval from what is more appropriately an administrative function – the approval of tower lease agreements and rental rates. The Office of General Counsel indicates that council member involvement can take place at the Planning Commission level where the land use decisions, including location, height and design, will be made.

Policy Impact Area: Private communication towers and antennas on City property

Fiscal Impact: Undetermined; removes the minimum lease rates for towers and co-located antennas, but allowing lower rates may increase the number of private entities interested in pursuing facility locations.



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Bill Type and Number: Ordinance 2012-200

Sponsor: The Council President at the request of the Jacksonville Economic Development Commission:

Date of Introduction: March 27, 2012

Committee(s) of Reference: F; RCDPHS

Date of Analysis: March 30, 2012

Type of Action: Economic Development Approval; Grant Authorization; Policy Compliance Affirmation

Bill Summary: This ordinance approves and authorizes an Economic Development Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and BI-LO, LLC ("company"), to support the relocation of the company's headquarters to Jacksonville, Florida (the "project"); it authorizes a Recapture Enhanced Value (REV) Grant of \$2,000,000; it approves and authorizes execution of documents by the Mayor, Corporation Secretary and Executive Director of JEDC; authorizes approval of technical amendments by the Executive Director of JEDC; provides for City oversight by the JEDC; timeline for execution of agreement by the company; affirms the project's compliance with the public investment policy adopted by Resolution 2006-119-A.

Background Information: In December 2011, BI-LO, headquartered in Greenville, South Carolina and operating 206 supermarkets in North Carolina, South Carolina, Georgia and Tennessee with 17,000 employees, announced that it would purchase the public shares of Winn-Dixie Stores. Winn-Dixie, headquartered in Jacksonville operates 482 grocery stores, employing 46,000 within the states of Florida, Alabama, Louisiana, Georgia and Mississippi. The merger transaction is valued at \$560 million. BI-LO has indicated its willingness to relocate its corporate headquarters to Jacksonville, subject to receipt of financial incentives to offset relocation costs. BI-LO has committed to create 100 permanent full-time equivalent new jobs in Jacksonville by December 2015. A Recapture Enhanced Value (REV) grant program is being offered BI-LO by this proposed economic development agreement. The proposed REV grant would be provided on an annual basis and would be equal to 50% of the incremental increase in municipal and county ad valorem taxes paid on real and personal property at the project site (5050 Edgewood Court, Jacksonville 42254, in Council District 9). The grant will have a cap of \$2,000,000. The State of Florida will provide economic incentives, as well. BI-LO estimates that the project will result in a private capital investment of \$93 million in purchases of IT machinery, equipment, furniture and fixtures. The 100 newly created jobs combined with 891 existing Jacksonville based jobs would have the job impact of a total of 991 jobs. JEDC has determined that the REV grant serves a paramount public service; the economic development agreement is in the public interest; the project enhances the City's tax base and revenues.

Policy Impact: Economic Development/Jobs/Recapture Enhanced Value Grant/JEDC

Fiscal Impact: The bill approves and economic development agreement that authorizes a Recapture Enhanced Value grant in the amount of \$2,000,000.



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Bill Type and Number: Ordinance 2012-201

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 27, 2012

Committee(s) of Reference: R

Date of Analysis: March 27, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Twane L. Duckworth as the Risk Manager within the Finance Department and waives Sec. 24.402, *Ordinance Code*, requiring at least five years' experience in insurance and risk management activities, including workers compensation, automobile and general liability matters, at a professional level.

Background Information: Section 24.402, *Ordinance Code*, provides that the Risk Manager shall have a bachelor's degree or higher from an accredited college or university in business, insurance, and/or risk management or a law degree and at least five years' experience in insurance and risk management activities, including workers compensation, automobile and general liability matters, at a professional level.

Mr. Duckworth received a law degree from Georgetown University. He has been employed with the City of Jacksonville since 2009 as an Assistant General Counsel. He was previously employed as an Assistant Attorney General with the *Office of Attorney General* and as a Program Analyst with the *Department of Consumer and Regulatory Affairs*, both in Washington, D.C.

Policy Impact Area: Finance Department / Risk Management Division operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$80,774 - \$131,875 annually.

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Bill Type and Number: Ordinance 2012-202

Sponsor: Council President Joost and Council Member Gaffney:

Date of Introduction: March 27, 2012

Committee(s) of Reference: TEU; F

Date of Analysis: March 30, 2012

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$9,120 (\$1,000 from Council President's Account – Professional Services, \$1,000 from Council President's Account – Printing & Binding, \$7,000 from Council President's Account – Misc Services & Charges and \$120 from Council Direct Expenditures Travel Expense) to provide funding for City Council Members parking in St. James Building Garage.

Background Information: This ordinance provides funding that will enable City Council Members to park in the St. James Building (City Hall) garage because of safety and security concerns. Council Members had previously had reserved spaces in the garage, a policy abandoned a couple years ago.

Policy Impact: City Council Members/Parking/St. James Building

Fiscal Impact: The ordinance appropriates \$9,120

LEGISLATIVE SUMIMAR



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Bill Type and Number: Ordinance 2012-203

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

Date of Introduction: March 27, 2012

Committee(s) of Reference: R

Date of Analysis: March 29, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends City Charter Article 22 – Jacksonville Police and Fire Pension Board of Trustees – to eliminate the board of trustees member elected by the other board members, to increase the number of trustees appointed by the City Council from 2 to 3 effective immediately, and to add a requirement that members of the board of trustees shall have professional experience in finance, accounting investments, economics, pension management, pension administration and/or local government administration. The bill also removes the three City Council appointees to the board (Barbara Jaffe, Peter Sleiman and Nathanial Glover) and appoints three as-yet-unnamed replacement members for the remainder of their terms, expiring December 1, 2014, June 1, 2014 and October 15, 2014, respectively.

Background Information: The Florida Legislature passed a law in the 2011 session allowing municipalities to alter the composition of police and fire pension boards so as to enlarge the number of municipally-appointed trustees. The preamble of the bill states that the City government is ultimately responsible for the fiscal solvency of the Police and Fire Pension Fund and therefore it is in the public interest for the City to have expanded representation on the board.

Policy Impact Area: Police and Fire Pension board governance

Fiscal Impact: None



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Bill Type and Number: Resolution 2012-204

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 27, 2012

Committee(s) of Reference: R

Date of Analysis: March 28, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of James M. Robinson, P.E. as the Director of Public Works.

Background Information: Section 32.102, *Ordinance Code*, provides that the Director shall be registered by the State of Florida as a Professional Engineer and have at least five years' experience in industrial or municipal public works.

Mr. Robinson received a master's degree in civil engineering from N.C. State University and a master's degree in business administration from the University of North Florida. He is a Florida licensed Professional Engineer and has over 30 years of engineering experience. Mr. Robinson has previously served on the Mobility Planning Committee and The Jacksonville Journey Neighborhood Safety and Stability Subcommittee.

Policy Impact Area: Public Works Department operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$109,892 - \$179,415 annually.

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Bill Type and Number: Resolution 2012-205

Sponsor: Council President Joost and at the request of the Mayor

Date of Introduction: March 27, 2012

Committee(s) of Reference: R

Date of Analysis: March 28, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's and Mayor's joint reappointment of Charles L. Griggs, as a member of the Jacksonville Journey Oversight Committee, for a second four-year term ending December 31, 2015.

Background Information: The Jacksonville Journey Oversight Committee was initially establish via Ordinance 2008-555-E and continued via Ordinance 2011-405-E. The Committee is charged to in concert with the City's grant making agencies, establish the short, intermediate, and long term, measurement and reporting systems for Jacksonville Journey funds; issue an annual community-wide report card on the progress of funded Jacksonville Journey programs; make annual recommendations on programs to be funded based on each program's prior year's performance; continue the data gathering and public policy innovation initiated by the Jacksonville Journey for further refinement and consideration of the program; and advocate for the investment of new public and private dollars as well as state and federal policy initiatives to ensure a safer city. The nine members of the committee are appointed jointly by the Mayor and Council President and confirmed by the Council.

Mr. Griggs is the Communications and Planning Director for the *Duval County Health Department*. He has previously served on the Jacksonville Journey Neighborhood Safety and Stability Subcommittee, the Jacksonville Human Rights Commission and the Art in Public Places Commission. Mr. Griggs resides in the Garden City area within Council District #11.

Attendance: According to the staff for the Jacksonville Journey Oversight Committee, Mr. Griggs has attended 70% (26 of 37) of the meetings since his initial appointment in December 2008.

Policy Impact Area: Jacksonville Journey Oversight Committee operations

Fiscal Impact: Anticipated to be minimal

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Bill Type and Number: Resolution 2012-206

Sponsor: Council President Joost and at the request of the Mayor

Date of Introduction: March 27, 2012

Committee(s) of Reference: R

Date of Analysis: March 28, 2012

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's and Mayor's joint reappointment of Terrance Freeman, as a member of the Jacksonville Journey Oversight Committee, for a second four-year term ending December 31, 2015.

Background Information: The Jacksonville Journey Oversight Committee was initially establish via Ordinance 2008-555-E and continued via Ordinance 2011-405-E. The Committee is charged to in concert with the City's grant making agencies, establish the short, intermediate, and long term, measurement and reporting systems for Jacksonville Journey funds; issue an annual community-wide report card on the progress of funded Jacksonville Journey programs; make annual recommendations on programs to be funded based on each program's prior year's performance; continue the data gathering and public policy innovation initiated by the Jacksonville Journey for further refinement and consideration of the program; and advocate for the investment of new public and private dollars as well as state and federal policy initiatives to ensure a safer city. The nine members of the committee are appointed jointly by the Mayor and Council President and confirmed by the Council.

Mr. Freeman received a master's degree in exercise science and health promotions from the California University of Pennsylvania and is the Principal of Student Affairs at *Eagle's View Academy*. He resides in the Arlington Hills area within Council District #1.

Attendance: According to the staff for the Jacksonville Journey Oversight Committee, Mr. Freeman has attended 72% (28 of 39) of the meetings since his initial appointment in December 2008.

Policy Impact Area: Jacksonville Journey Oversight Committee operations

Fiscal Impact: Anticipated to be minimal

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Bill Type and Number: Ordinance 2012-212

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

Date of Introduction: March 27, 2012

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

Date of Analysis: March 29, 2012

Type of Action: Charter amendment; Ordinance Code amendment; appropriation

Bill Summary: The bill repeals City Charter Article 24 – Jacksonville Economic Development Commission, repeals Ordinance Code Chapter 55 – Economic Development, and repeals Ordinance Code Sec. 516.101 – Downtown Development Agency Boundaries. It enacts a new Ordinance Code Chapter 55 – Economic Development - which provides for the establishment of an Office of Economic Development led by an Economic Development Officer who shall be appointed by, serve at the pleasure of, and be an administrative aide to the Mayor. The assets, liabilities, property and personnel of the current JEDC are transferred to the new Office of Economic Development (OED).

The OED's responsibilities include: economic development incentives; management of the Enterprise Zone; acting as the City's community redevelopment agency (except in the downtown area, which will he handled by the Downtown Investment Authority); acting as the City's industrial development authority; managing the Cecil Commerce Center; operating the Film and Television Office; managing the Sports Complex and other public assembly facilities; operating the Equal Business Opportunity Office; operating the Office of Public Parking; operating the Office of Special Events; and operating the Office of Public/Private Partnerships.

The new Chapter 55 provides for the creation of a Downtown Investment Authority (DIA) which shall operate within the boundaries of the Jacksonville Downtown Area, defined as the area encompassed by State Street on the north, I-95 on the west, I-95 on the south (from the Fuller Warren Bridge to Alamo Street - western side of the JEA Southbank Generating Station property), then crossing the river northerly to the mouth of Hogan's Creek, then the St. Johns River on the south and east to the Mathews Bridge expressway and back to State Street, including the state office complex north of State Street between Jefferson and Davis Streets (old Blodgett Homes sites). It includes the areas of the Southside Community Redevelopment Area and the Downtown Northbank Community Redevelopment Area.

The DIA would be governed by a 9-member board appointed by the Mayor and confirmed by City Council to 4year staggered terms. The DIA board would have the following powers and duties: employ a Chief Executive Officer of the authority; serve as the City's community redevelopment agency for the Southside and Downtown Northbank Community Redevelopment Areas; negotiate and approve downtown development and redevelopment agreements subject to budgetary authority granted by City Council; administer the downtown tax increment districts; incorporate the functions of the Downtown Development Review Board; develop a 5- year Business Investment and Development (BID) plan for downtown; plan and propose public improvements within the downtown area that would aid in economic growth; establish, operate, lease, license, grant or convey public facilities such as pedestrian malls, historical buildings or monuments, cultural, educational or recreational facilities (but not public parks); acquire real or personal property by purchase, gift or lease, or by condemnation if approved by City Council; hold, manage, control, lease, sell, grant, or otherwise dispose of assets and properties including easements and licenses; obtain appraisals, title searches, surveys, studies and other plans and work necessary for the undertaking of redevelopment projects; and plan or modify streets, roads, sidewalks, ways, or other places and to plan or modify any part of the downtown area. The DIA would have eminent domain power with the approval of City Council.

Ordinance Code Chapter 111 – Special Revenue and Trust Accounts – is amended to make changes to the Sports and Entertainment Board Trust Fund, to create a new Redevelopment Trust Fund of the Jacksonville Downtown Investment Authority Trust and to create a new Economic Development Closing Fund.

Ordinance Code Chapter 250 – Miscellaneous Business Regulations – is amended in Part 5 – Downtown Sidewalk Vendors and Open Air Markets – to change references from JEDC/DDA to Economic Development Office. Chapter 656- Zoning Code – is amended to reflect name changes from JEDC to DIA with regard to the Central Business District zoning classification.

City Charter Article 17 – Civil Service – is amended to list employees of the Office of Economic Development and Downtown Investment Authority as being exempt from civil service regulations. Current JEDC employees who retained civil service status upon their transfer to the JEDC in 1997 retain that status.

The bill appropriates \$1 million in new funding and transfers \$708,000 in existing JEDC funding to the new Office of Economic Development to fund operations for the remainder of this fiscal year.

Background Information:

Policy Impact Area: Economic development structure

Fiscal Impact: The bill appropriates \$470,000 from the Mayor's Executive Operating Contingency, \$383,773.22 from debt interest reserves, \$106,954.78 from Gator Bowl game costs and \$39,272 from Florida/ Georgia game costs (\$1 million total) to the new Office of Economic Development which, along with cost savings in the JEDC's current budget and \$29,776 in new revenue, will provide \$1,708,093 to reverse the JEDC lapse factor and provide funding for the new OED for the remainder of the fiscal year.



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Bill Type and Number: Ordinance 2012-213

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

Date of Introduction: March 27, 2012

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

Date of Analysis: March 29, 2012

Type of Action: City Charter amendment; Council Rules amendment; Ordinance Code amendment; approval of City economic development incentive policy; approving new Downtown Historic Preservation and Revitalization **Trust Fund guidelines**

Bill Summary: The bill amends City Charter Article 5 – The Council – in Section 5.08 – Procedures – to provide that certain items of legislation relating to economic development shall require one or two readings, as provided in the City's Economic Development Incentives Policy.

Council Rule 3.101 – Manner of Legislation – is amended to provide that contracts and other agreements authorized in the City's Economic Development Incentive Policy may be approved by resolution, together with any appropriations related to such contracts or agreements.

Council Rule 3.305 is amended to add to the category of legislation requiring only two readings "a resolution approving an economic development investment incentive that meets the criteria for the 'Two-Step Process for Non-Standard Projects' in the City's Economic Development Incentive Policy", provided that prior approval of the Council's Economic Development Investment Committee has been obtained.

A new Council Rule 3.306 – Legislation Requiring Only One Reading – is created to allow for first reading approval of resolutions approving economic development investment incentives that meet the criteria of the "One-Step Process for Standard Incentives" in the City's Economic Development Incentive Policy.

Ordinance Code Section 180.105 – Funding of the Duval County Job Opportunity Bank – is amended to delete references to recipients of City economic development incentives contributing funds to the City for deposit into the Duval County Job Opportunity Bank.

The bill approves and authorizes a new Economic Development Incentive Policy to replace and supersede the current policy. It also approves and authorizes a new set of Downtown Historic Preservation and Revitalization Trust Fund Guidelines to replace and supersede the current guidelines.

Background Information: The City's current economic development incentive policy was initially enacted in 1998 and subsequently amended in 1999, 2002 and 2006. The Downtown Historic Preservation Trust Fund was created in 2002 to provide a funding source to help incentivize developers to preserve and restore historic buildings in the downtown area. The Council Rules were amended in January 2006 to allow ordinances approving Qualified Target Industry (QTI) incentives to be approved on two readings so long as the other procedural requirements of general law are met.

The revised Economic Development Incentive Policy dated 3.27.12 provides that incentives may be approved by City Council via resolution on one reading if the maximum City-provided investment from all sources does not exceed \$300,000 and if the project meets all of the requirements of the policy without need for waivers. Projects not meeting the criteria for one-reading approval but which otherwise have been recommended by the OED staff and the Mayor's Office may be approved by City Council via resolution on second reading.

Policy Impact Area: Economic development

Fiscal Impact: Undetermined