

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



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Bill Type and Number: Ordinance 2013-285

Introducer/Sponsor(s): Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 14, 2013

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 15 – Jacksonville Sunshine Law Compliance Act – to add a definition of “public location” to mean any government-owned building. The bill also amends the public notice requirement for emergency meetings by deleting language requiring that the City’s Ethics Officer must approve in writing any meeting noticed less than 24 hours in advance and replacing it with a requirement that the City Ethics Director must be notified of such meeting. The bill deletes the requirement that the Council Auditor must make an annual review of the Council’s compliance with meeting notice, location and minutes requirements of the Sunshine Law and replaces it with a provision that the Council Auditor shall review such compliance periodically, or at the request of the Council President or Director of Ethics. The bill adds new language providing that the annual Sunshine Law and ethics training required of council members and staff shall be in a format, time and duration determined by the Council Secretary/Director, Director of Ethics, and Office of General Counsel, deletes the requirement that twice in every 4-year council term the training must be ‘exhaustive and detailed’, and provides materials shall be provided in an electronic format rather than in hard copy. Finally, the bill provides that the Council Secretary/Director, Director of Ethics, and Office of General Counsel, rather than the Council Auditor, may make recommendations for improvements to the chapter.

Background Information: The definition of “public location” for the holding of noticed public meetings is meant to clarify that meetings should be held in governmental buildings like City Hall or public libraries, not in other buildings open to the public such as restaurants or stores. The Ordinance Code currently requires that City Council members and Council staff must undergo extensive Government in the Sunshine and ethics law training at the beginning and middle of each council term, with annual updates in the intervening years.

Policy Impact Area: City Council and staff Sunshine Law and ethics training

Fiscal Impact: The change from hard copy to electronic distribution of training documents will save printing and paper costs.

Analyst: Clements

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Bill Type and Number: Resolution 2013-286

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: F

Date of Analysis: May 14, 2013

Type of Action: Approving economic development agreement; pledge of QTI matching funds

Bill Summary: The bill authorizes the execution of an economic development agreement between the City and SunGard AdvantGard, LLC for an expansion of the company's operations in Jacksonville. It pledges the City's support for a state QTI incentive with enterprise zone bonus and commits the City to fund not more than \$204,000 in local QTI match to the state's \$816,000, for a maximum QTI incentive of \$1,020,000. The bill designates the Office of Economic Development as the City oversight agency and authorizes the Executive Director of the OED to make minor technical corrections to and execute such documents as are needed to carry out the intent of the ordinance. The bill provides for a 90 day sunset date on approval of the agreement if not executed by the company by that time, which may be extended for an additional 90 days at the discretion of the Executive Director of the OED.

Background Information: SunGard is a software and technology services company providing services to business and industry. The company currently employs 80 people in Jacksonville on Belfort Road and seeks to relocate its offices and operations center to downtown in the Prudential Building on the Southbank and create up to 170 additional full-time jobs over 3 years at an average wage of \$54,719 plus benefits. The company anticipates making \$4.4 million in capital investment in leasehold improvements and furniture and equipment. The company requests a QTI of \$1,020,000 or \$6,000 per job (\$3,000 base QTI plus \$3,000 enterprise zone bonus), with 80% paid by the state and 20% by the City.

Policy Impact Area: Economic development

Fiscal Impact: The bill commits the City to a QTI match of not more than \$204,000.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-287

Introducer/Sponsor(s): Council Member Lumb

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 14, 2013

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 602 – Ethics Code – to add a new Part 5 – Whistleblower Protection - to provide protection from reprisal for employees who report unlawful activity, misfeasance or malfeasance of City employees or contractors to appropriate authorities. The bill defines “City” to mean the departments and agencies of the consolidated government and the constitutional officers, independent authorities and districts of the City. “Whistleblower officials” are defined as the Council Auditor, Director of the Office of Ethics, Compliance and Oversight, and any designated ethics officer of the City. It provides that the City shall not discipline, dismiss, or take other adverse personnel action against an employee for disclosing information pursuant to this Part to a whistleblower official, nor retaliate against such employee for such disclosure. The bill requires the whistleblower to make the disclosure in writing and must allege 1) violation or suspected violation of federal, state or local law, rule or regulation committed by an employee or agent of the City or its independent contractors, or 2) an act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty. The bill provides for a whistleblower complaint and remedy process through the Civil Service Board or the Florida Division of Administrative Hearings. The bill provides for creation of a Reporting Employee’s Award Program by which a designated whistleblower may be eligible for a cash award of up to 10% or \$100,000 (whichever is less) of public funds recovered as a result of the employee’s actions. The bill authorizes the Council Auditor and Director of Ethics, Compliance and Oversight to promulgate rules and procedures to carry out the intent of the new Part.

Background Information: The bill’s intent is to provide specific safeguards against workplace retaliation for employees of the City and its affiliated authorities and agencies who report potential malfeasance, unethical conduct or gross waste of public resources.

Policy Impact Area: Employee protection; public official/employee ethics

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2013-288

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

Date of Introduction: May 14, 2013

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

Date of Analysis: May 14, 2013

Type of Action: Authorizing property acquisition; declaration of surplus property and authorization of sale; appropriation; CIP amendment; establishment of deadline for execution of documents

Bill Summary: The bill authorizes the purchase by the City of a small parcel of property at the corner of Jackson and May streets in the Brooklyn area from the Florida Department of Transportation and the subsequent sale of that parcel to Pope & Land Enterprises, Inc. for inclusion in the mixed use development the company will construct at the site. The bill also closes, abandons, declares as surplus and authorizes the conveyance to Pope & Land a portion of the right-of-way of May Street east of Stonewall Street, also in the Brooklyn area, subject to the reservation of an all-utilities easement over the site and payment by Pope & Land of the appraised value of the parcel. The bill appropriates \$180,000 from the Northbank Downtown tax increment district for purchase of the FDOT property, which will be reimbursed upon purchase of the property by Pope & Land. The bill amends the 2012-17 Capital Improvement Program to add a project listing for the FDOT land acquisition and resale and finds that it would be detrimental to the best interests of the community to defer the CIP amendment to the next budget cycle because that would substantially slow progress on the construction of the project. The bill authorizes the administration to execute all documents and to make such non-substantive technical corrections as are necessary to carry out the transactions, and imposes a document execution deadline of 90 days after delivery of documents, unless subsequently extended for up to an additional 90 days by the Executive Director of the OED.

Background Information: As part of its mixed use development in Brooklyn between Riverside Avenue and Park Street, Pope & Land needs to acquire a 0.25 acre parcel at the corner of Jackson and May Streets. Since the FDOT can only convey its surplus property to private entities through a competitive bidding process, the company has asked the City to acquire the parcel from FDOT and re-convey it to the company, which will pay the FDOT surplus value and all closing costs for the City's transactions. The City will use the Northbank Downtown tax increment district as the source of funding for the purchase, to be reimbursed with the sale proceeds from P & L.

Policy Impact Area: Economic redevelopment

Fiscal Impact: The City will temporarily appropriate \$180,000 from the Northbank Downtown tax increment district fund to facilitate the FDOT transaction, and will receive fair market appraised value for the sale of the closed Leila Street right-of-way to the company.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-289

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: F; RCD

Date of Analysis: May 17, 2013

Type of Action: Appropriation; CIP Amendment

Bill Summary: The ordinance appropriates \$179,500.00 from the Department of Parks and Recreation's Countywide Parks – Upgrades/Maintenance Repairs Account to establish a budget and account for the replacement of the Oak Harbor Boat Ramp, as initiated by B.T. 13-050; provides for a carryover of funds to Fiscal Year 2013-2014; amends the 2012-2017 Five-Year Capital Improvement Program, approved by Ordinance 2012-434-E, to establish the "Oak Harbor Ramp Phase II – Ramp Replacement" project and reduce funding for the "Countywide Parks – Upgrades/Maintenance Repair project."

Background Information: The Oak Harbor Boat Ramp is located at 2428 Seaway Street, in Mayport, Council District 11. The current ramp has deteriorated and is deemed unsafe. The intent of the project is for a consultant (RS&H) to furnish final design documents to the City. It is intended that the consultant's services will result in drawings for the City to seek bids and contracts for construction of the project. The Council finds that the deferral of the CIP amendment until the next annual budget and CIP review will be detrimental to the best interest of the community because such deferral will result in danger to the public as the boat ramp has failed and its current state poses a safety hazard. Pursuant to Section 122.605(c), *Ordinance Code*, enactment of this ordinance requires the affirmative vote of to-thirds of the Council Members present at the meeting.

Policy Impact: Parks & Recreation/Boat Ramps

Fiscal Impact: The ordinance appropriates \$179,500.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-290

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: F; RCD

Date of Analysis: May 17, 2013

Type of Action: Appropriation; Agreement Authorization

Bill Summary: The ordinance accepts and appropriates a \$5,000.00 reimbursement grant from the Florida Inland Navigation District (F.I.N.D.) to provide funding for litter prevention and education programs for Keep American Beautiful affiliates, as initiated by B.T. 13-062; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute an Agreement between the City and the Florida Inland Navigation District to develop such litter prevention and education programs.

Background Information: The grant period began October 1, 2012 and ends September 30, 2013. The City will be reimbursed after the September 30, 2013 deadline. Keep Jacksonville Beautiful received the original, signed, agreement letter from F.I.N.D. on March 18, 2013. The funding will provide assistance for volunteer clean-up of the Intracoastal Waterway and the St. Johns River. The City must report the composition and location of waterway-related debris and the amount of refuse collected. Items funded by the grant include: T-shirts, food & beverage, gloves, e-mail promotion, postage, printing & design and staff time.

Policy Impact: Neighborhoods Department/Clean It Up, Green I Up/Florida Inland Navigation Grant

Fiscal Impact: The ordinance appropriates a \$5,000.00 grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-291

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: May 14, 2013

Committee(s) of Reference: F; PHS

Date of Analysis: May 17, 2013

Type of Action: Appropriation; Agreement Authorization

Bill Summary: The ordinance appropriates, in accordance with Section 932.7055, Florida Statutes, \$130,000 from the Special Law Enforcement Trust Fund to First Coast Crime Stoppers, Inc. in order to fund its Gun Bounty Program, as initiated by B.T. 13-063; provides for a carryover of funds to Fiscal Year 2013-2014; approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Miscellaneous Appropriations Agreement between the City of Jacksonville and First Coast Crime Stoppers, Inc.

Background Information: Acting on information passed along from citizens in the community (i.e., "tips"), Crime Stoppers are often instrumental in the apprehension of criminal activity. If Crime Stoppers' actions lead to an arrest and the removal of one gun from the streets, Crime Stoppers is entitled to \$1,000.00 from the Trust Fund. One gun + one arrest = \$1,000.00.

Policy Impact: Crime/First Coast Crime Stoppers, Inc. /Gun Bounty Program

Fiscal Impact: The ordinance appropriates \$130,000 from the Special Law Enforcement Trust Fund

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-292

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

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

Date of Analysis: May 17, 2013

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$1,826,684.91 in Community Development Block Grant Program income to 1) Northwest Jacksonville Community Development Corporation (North Point Project) (\$400,000), 2) Limited Repair Program (\$225,684,91), 3) Utility Tap-In Program (\$110,000), 4) Emergency Services Homeless Coalition (Jacksonville Day Resource Center Project) (\$120,000, and 5) Clara White Mission, Inc. (Beaver Street Villas Phase II) (\$971,000) as initiated by B.T. 13-064; provides for the appropriation of program in come in accordance with 24 CFR 570.504; provides for purpose; provides a carryover of funds from year to year until such funds are expended or lapse according to the originating State or federal program grant; authorizes the Mayor and Corporation Secretary to take further action to implement the purposes of this ordinance.

Background Information: Program income and principal or interest received from repayments of loans under the Community Development Block Grant Program is appropriated in this ordinance to eligible CDBG and housing activities. 1) build-out of five (5) spaces (5 bays in a building) at North Point, an economic mix-use project in the Moncrief area; (Northwest Jacksonville Community Development Corporation; 2) additional Limited Repair Program funding for homeowner rehabilitation activities; 3) additional Utility Tap-In Program funding for connections to the City's utility systems; 4) funding for the Jacksonville Day Resource Center (Emergency Services Homeless Coalition); and 5) funding for Phase II of the Beaver Street Villas project (Clara White Mission).

Policy Impact: Neighborhoods Department/Housing & Community Development Division

Fiscal Impact: The ordinance appropriates \$1,826,684.91

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-293 Revised

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: May 14, 2013

Committee(s) of Reference: PHS, F

Date of Analysis: May 14, 2013

Type of Action: Appropriation

Bill Summary: The bill appropriates \$200,000 (\$126,396 from Special Council Contingency – Public Works and \$73,604 from Council Special Operating Reserve) to the Clerk of the Courts budget for security and equipment needs (\$171,440) and to the Court Administrator for technology needs (\$28,560).

Background Information: During the FY12-13 budget adoption, the Council reduced the Clerk of the Courts' budget by \$173,928 which equaled the amount of bonus pay the then-outgoing Clerk was reportedly giving to various employees of his office. That last minute reduction left the Clerk's budget with an operating lapse (deficit). This bill would restore that lapse to the Clerk of the Courts' budget for implementation of a customer queuing system, funded with a return of the money shifted from the Clerk's budget to a Special Council Contingency fund for Public Works expenses (\$126,396) and from the Special Council Operating Reserve (\$45,044).

\$28,560 is also being appropriated to the Court Administrator's budget for technology needs from the Special Council Operating Reserve.

Policy Impact Area: Court operations

Fiscal Impact: The bill appropriates \$171,440 to the Clerk of the Courts' budget to restore a lapse factor imposed at the time of the budget adoption and adds \$28,560 in additional funding to the Court Administrators' budget for technology purposes.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-294

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU, F

Date of Analysis: May 14, 2013

Type of Action: Extension of outside counsel engagement agreement; appropriation

Bill Summary: The bill extends the City's contract with Finger & Nelson, PLLC to continue providing outside legal counsel for environmental issues relating to compliance with state and federal consent orders for ash sites and formerly closed landfills. The bill appropriates \$50,000 from the Public Works Department's Professional Services account to pay for these services.

Background Information: In December 2012 the City Council approved the engagement of Kristina Nelson of Finger & Nelson as outside counsel with a contract cap of \$50,000. Ms. Nelson had been the City's environmental expert in the Office of General Counsel before leaving the government for private practice. The Office of General Counsel has determined that it is most expedient to retain Ms. Nelson's expertise in the City's ash site and landfill litigation on a contractual basis for use as needed.

Policy Impact Area: Outside legal counsel

Fiscal Impact: The bill appropriates \$50,000 from the Public Works Department's Professional Services account.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-295

Sponsor: Council Member Brown:

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU; F

Date of Analysis: May 17, 2013

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$27,410 from the Tree Protection and Related Expenses Trust Fund to plant 108 trees around two retention ponds at 8023 and 8136 Shrike Avenue, Jacksonville 32210, in Council District 10; procurement directive utilizing the continuing contract of Davey Tree Service; provides for the Public Works Department to oversee the project.

Background Information: Davey Tree Company's continuing contract with the City, CS-0618-12, is valid through September 30, 2013. The company is contracted to purchase, plant and maintain 108 trees. The trees include: 40 Cypress @ \$245 each; 32 Pine @ \$175 each; 10 River Birch @ \$225 each; 20 East Palatka Holly @ \$395 each; 6 Over Cup Oak @ \$310 each.

Policy Impact: Public Works

Fiscal Impact: The ordinance appropriates \$27,410

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-296

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU; F

Date of Analysis: May 17, 2013

Type of Action: Surplus Property Disposition

Bill Summary: The ordinance declares part of R.E. #029911-0000, a parcel acquired by the City in 1998 as part of the S. Line Rails-to-Trails Linear Park Project, in Council District 7, to be surplus to the needs of the City; the ordinance recognizes the disposition of the parcel by direct sale to Central Metropolitan Christian Methodist Church for the appraised value of \$5,900 pursuant to Section 122.423 (Appraisal at or below \$25,000) of Chapter 122 (Public Property), *Ordinance Code*.

Background Information: In 1998, the City acquired abandoned CSX rail rights-of-way for parks and recreational uses, particularly pedestrian trails, in the Rails-to-Trails program. The subject parcel in this ordinance transaction consists of approximately 1.96 acres of mostly wooded and vacant land which is considered excess property with limited potential for development because of its irregular shape. The City has no plans to utilize this remaining undeveloped portion of the original property acquisition. The parcel will be disposed of by direct sale for the appraised value of \$5,900 to Central Metropolitan Christian Methodist Church, the adjacent landowner.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The ordinance disposes of a City-owned parcel for the appraised value of \$5,900.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-297

Introducer/Sponsor(s): Council Member Jones

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU, LUZ

Date of Analysis: May 14, 2013

Type of Action: Temporary moratorium on issuance of demolition permits

Bill Summary: The bill establishes a 180-day moratorium on the issuance of demolition permits for structures within a defined portion of the Brooklyn area while the Jacksonville Historic Preservation Commission evaluates the area for potential designation as a historic district. The bill provides that demolition permit applications that were received by the City and were under consideration as of May 1, 2013 may be processed and, where appropriate, issued, notwithstanding the moratorium.

Background Information: The defined area in Brooklyn includes the properties between I-95 and Myrtle Avenue, Chelsea Street and McCoy's Creek, lying between the new development taking place along Riverside Avenue and Park Street and McCoy's Creek. The Brooklyn area was platted in 1868 and was largely settled by African-American former Union soldiers and former slaves, making the area a historically African-American enclave near downtown Jacksonville.

Policy Impact Area: Historic preservation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2013-298

Sponsor: Council Member Clark:

Date of Introduction: May 14, 2013

Committee(s) of Reference: F

Date of Analysis: May 17, 2013

Type of Action: Interlocal Agreement Authorization & Approval

Bill Summary: The ordinance approves and authorizes the Tax Collector and the Property Appraiser to execute an Interlocal Agreement with the "Isle of Palms Special District," a dependent special district established in accordance with Chapter 189, Florida Statutes, located in Council District 3, for the uniform levy, collection and enforcement of non-ad valorem assessments as authorized by F. S. Sec. 197.3632.

Background Information: Ordinance 2011-724-E established the Isle of Palms Special District in accordance with Florida Statutes for the limited purpose of maintaining a system of canals located within the Isle of Palms community. The City is unable to provide the financial resources required to properly maintain the system of canals. A dependent special district financed by the property owners who benefit from properly maintained canals is the appropriate and effective vehicle to insure that the canals are properly maintained. Florida Statutes (Section 189.4065) requires that special districts provide for the collection of annual non-ad valorem assessments. The community's Board of Supervisors has the authority to impose that non-ad valorem assessment in an amount up to \$1,000 annually. Section 197.3632, Florida Statutes, requires the Special District to enter into a written agreement with the Property Appraiser and Tax Collector providing for reimbursement of administrative costs incurred in the levy, collection and enforcement of non-ad valorem assessments.

Policy Impact: Special Districts

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-299

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU; F

Date of Analysis: May 17, 2013

Type of Action: Authorization for Utility Easement; Access Easement Authorization

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Utility Easement between and among the St. Johns River Water Management District, the City of Jacksonville, and AT&T granting AT&T, at no cost, a Utility Easement to allow it to construct, maintain, and operate facilities for the transmission of communication and information services on the property known as the Logan Tract in Council District 11; the ordinance approves and authorizes the Mayor and Corporation Secretary to execute An Access Easement between and among the City, St. Johns River Water Management District, and AT&T granting SJRWMD and the City, at no cost, an ingress and egress easement over property AT&T owns adjacent to the Logan Tract property co-owned by SJRWMD and the City.

Background Information: The site of the easements authorized by this ordinance is Dinsmore, located in Council District 11. The property is known as the Logan/Thomas Creek Preserve. The Utility Easement from SJRWMD and the City to AT&T conveys a right of way over an existing fiber optic cable line that is encroaching along the west boundary of a portion of the SJRWMD/City jointly owned Logan tract. The Access Easement from AT&T to SJRWMD and the City conveys a right of way for ingress and egress to and along the west boundary of a portion of the SJRWMD/City jointly owned Logan tract.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-300

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU

Date of Analysis: May 14, 2013

Type of Action: Right-of-Way Closure

Bill Summary: The ordinance closes, abandons and disclaims a 200 foot long portion of a 60 foot wide platted right-of-way (Rosselle Street) in Riverside Gardens, establish via Plat Book 3, Page 67, dated March 23, 1910, in the public records of Duval County, in Council District 9, at the request of 440 Edgewood, LLC (“applicant”) to enhance the security of the applicant’s property, subject to reservation unto 1) City and JEA of an all utilities easement and 2) Florida Department of Transportation, Jacksonville Transportation Authority, and Clear Channel Outdoor, Inc. of an ingress and egress easement.

Background Information: The applicant’s property is zoned light industrial. The closure has been reviewed and approved by the Planning & Development Department. The right –of-way is not used by anyone other than the abutting property owners, as the portion of the right-of-way to be closed was effectively closed by the construction of Interstate 10. This request was sent to various state, municipal and utility agencies which might have an interest in the matter, as well as to adjacent property owners, and there were no objections.

Policy Impact: Public Works

Fiscal Impact: The applicant has paid a closure application processing fee in the amount of \$1,500.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-301

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

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

Date of Analysis: May 17, 2013

Type of Action: Easement Grant

Bill Summary: The ordinance authorizes the Mayor and Corporation Secretary to execute an Ingress and Egress Easement granting to Zero Grant Road, LLC, a landlocked property owner the right of ingress and egress over and through a portion of Pine Forest Park in Council District 9.

Background Information: Zero Grant Road, LLC owns a land-locked parcel with no formal legal access, which is adjacent to the City-owned Pine Forest Park property located in Council District 9, south of Emerson Street. It has been determined that a 35' ingress and egress easement along the northeast corner of the City's park property is the most favorable location for Zero Grant Road, LLC to gain its desired formal legal access to its land-locked parcel. The Parks & Recreation Department has concluded that the proposed Ingress and Egress Easement will not conflict with the current use of the park property and do not oppose granting the easement. In exchange for the proposed easement, Zero Grant Road, LLC agrees to construct, fence off and maintain all necessary improvements associated with establishing formal legal access upon, over and through the easement area at its own expense. In addition, Zero Grant Road, LLC agrees to indemnify and defend the City of Jacksonville against any claims associated with this Ingress & Egress Easement to Zero Grant Road, LLC.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2013-302

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU

Date of Analysis: May 17, 2013

Type of Action: Ordinance Amendment

Bill Summary: This ordinance concerns a Certificate of Public Convenience and Necessity (CON) granted to Bayard One, LLC by Ordinance 2012-643-E; the ordinance amends 2012-643-E by amending the operating hour's provision of Specific Condition 12 in Exhibit 1; no other changes are made to Ordinance 2012-643-E.

Background Information: This particular recycling facility is located at 11669 Philips Highway, in Council District 13. The operating hours of the facility specified in Specific Condition 12 state that hours of operation shall be from 6:00 A.M. to 7:00 P.M. This ordinance amendment modifies the hours in Specific Condition 12. The request to modify the hours of operation is due to the fact that many highway construction jobs occur at night in order to reduce the impact on traffic. The operator (Bayard One, LLC) has stated that an upcoming project on Interstate 95 will involve concrete removal activities that will take place exclusively at night and they would like to be able to receive this material outside of the operational hours listed in their CON. The Public Works Department and the Planning & Development Department have no objections to the requested changes to the CON.

Policy Impact: Public Works/Solid Waste Division

Fiscal Impact: Minimal

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2013-303

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: TEU, PHS

Date of Analysis: May 14, 2013

Type of Action: Authorizing interagency agreement

Bill Summary: The bill authorizes the execution of an interagency agreement between the City and JEA for use and support of an Interoperable P25 Radio System. The agreement is for a term of 12 years through September 30, 2025 and provides that the JEA shall pay \$3,129,816 for its share of accrued debt service on the system for FY09-10, 10-11, 11-12 and 12-13 by the end of September 2013. Thereafter the JEA shall pay the remainder of its share of the debt service and an annual system operational charge based on the number of radios utilized,

Background Information: The P25 Interoperable Radio System is the replacement for the First Coast Radio System which the City and JEA agreed in 2003 to share for the purpose of having a system that is usable by all public safety and utility agencies in the area, particularly in times of emergency response. This agreement acknowledges that the First Coast Radio System was phased out and replaced by the P25 system in 2010 and provides for a new interoperations agreement. The JEA financed the construction of the FCRS and this agreement acknowledges the City's repayment of \$8,547,456 toward the debt of that system and releases the City from any further obligation for payments on that system. The JEA agrees to pay 25% of the debt service and to pay for its share of annual operational costs of the P25 system based on a charge of \$6.32 per radio per month for P25 maintenance costs and \$8.99 per radio per month for Radio Shop costs. Both entities contribute tower sites for operation of the interoperable system.

Policy Impact Area: Public safety radio operations

Fiscal Impact: JEA will pay one-quarter of the capital cost of the system (just over \$17 million) and will pay its share of annual operational costs of the P25 system based on the number of radios in service.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-304

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2013

Type of Action: Designation of local historic landmark

Bill Summary: The bill designates the Edwin M. Stanton High School building at 521 West Ashley Street as a local historic landmark structure and directs the Zoning Administrator and Property Appraiser to enter the historic designation into the appropriate public records and maps.

Background Information: Stanton High School was opened in 1917, funded by a bond issue that built a number of schools to accommodate Jacksonville's re-growth after the Great Fire of 1901, in what had been the Town of LaVilla before that town was incorporated into the City of Jacksonville. The school's most famous alumni are James Weldon Johnson and his brother John Rosamond Johnson. James Weldon Johnson, who was a student, teacher and principal at Stanton High School and his brother wrote the song Lift Ev'ry Voice and Sing, which came to be known as the "Negro national anthem."

Policy Impact Area: Historic preservation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-305

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2013

Type of Action: Designation of local historic landmark

Bill Summary: The bill designates St. Joseph Missionary Baptist Church at 533 Dewdrop Street as a local historic landmark, and directs the Zoning Administrator and Property Appraiser to enter the designation in the public record and maps.

Background Information: The church was constructed in 1952 in the Hansontown neighborhood, a traditionally African-American neighborhood that was located in the area now occupied by the FSCJ Downtown Campus and the State of Florida's administrative campus at the former site of the Blodgett Homes (originally Hanson Homes). Hansontown was named for a communal farm founded in the area in 1868 by a surgeon of the Union Army's 54th Colored Regiment for black farmers. The building is still owned by the church, although it is no longer the main sanctuary and is used for other church purposes.

Policy Impact Area: Historic preservation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2013-309

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: R, TEU, PHS, LUZ

Date of Analysis: May 14, 2013

Type of Action: Adoption of interim local building code amendments; request for emergency action

Bill Summary: The bill adopts interim local amendments to the Florida Building Code as an exhibit to Ordinance Code Chapter 321 – Adoption of Building Code - dealing with building regulations and floodplain management. One cycle emergency approval is requested in order to meet a June 3, 2013 deadline imposed by the National Flood Insurance Program (NFIP) and the Florida Department of Emergency Management.

Background Information: The state has informed the City that these interim regulations are required to be adopted in order for the City to maintain its eligibility to participate in the NFIP. The adoption of the new regulations will likely improve the City's flood insurance rating and may reduce flood insurance premiums to property owners. The state plans to adopt amendments to the Florida Building Code in 2014 to ensure conformity to the requirements of the NFIP.

The interim regulations deal with a prohibition against plans and construction documents related to flood load and flood resistance being issued based on affidavits; 2) variance procedures in flood plain areas; 3) elevation requirements for building in a flood plain; 4) modification of the definition of "substantial damage" due to flooding; and 5) modification of the definition of "substantial improvement".

Policy Impact Area: Flood plain building code amendment

Fiscal Impact: Undetermined – failure to adopt the interim regulations would result in the City's disqualification to participate in the NFIP.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-310

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: R, TEU, PHS, LUZ

Date of Analysis: May 14, 2013

Type of Action: Ordinance Code amendment; emergency action request

Bill Summary: The bill repeals Ordinance Code Chapter 652 – Flood Damage Prevention and enacts a new Chapter 652 – Floodplain Management for the purpose of adopting flood hazard maps, designating a floodplain administrator and adopting procedures and criteria for development in flood hazard areas. Emergency action on the bill as a 1-cycle emergency is requested.

Background Information: The new chapter is intended to conform the City's floodplain regulations and management systems with the requirements of the Federal Emergency Management Agency (FEMA) and the Florida Building Code. Changes from the existing chapter include numerous revised definitions, elimination of duplicate and redundant sections and references, clarifies provisions regarding use of topographical maps and base elevations, and resolves inconsistent provisions in various sections of the regulations.

Policy Impact Area: Floodplain regulation

Fiscal Impact: Undetermined – failure to conform the City's regulations with FEMA requirements and the Florida Building Code would result in the City's disqualification from participation in the National Flood Insurance Program.

Analyst: Clements

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Bill Type and Number: Resolution 2013-311

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 14, 2011

Committee(s) of Reference: TEU

Date of Analysis: May 17, 2013

Type of Action: Brownfield Designation

Bill Summary: The resolution designates property located near the Bowden Road Yard, 6140 Philips Highway (part of RE #152589-2000) as a Brownfield Area for environmental rehabilitation and economic development; provides for sunseting of the Brownfield designation after twelve months if no Brownfield Site Agreement is executed.

Background Information: Designation of an area as a Brownfield Redevelopment Area authorizes an owner or developer to negotiate a rehabilitation agreement with the Florida Department of Environmental Protection. That agreement provides for the environmental remediation of the property, if required, and qualifies the property for tax and other financial incentives sponsored by federal and state governments. Designation of a site as a Brownfield Redevelopment Area does not obligate the City to rehabilitate the property or appropriate funds to underwrite rehabilitation. The Environmental Protection Agency defines Brownfields as sites that are abandoned, idled or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. Railex, LLC (Riverhead, New York) proposes to acquire a 22 acre tract of underdeveloped rail spur property along Philips Highway adjacent to the Florida East Coast Railroad marshaling yard and construct a refrigerated logistics center. To enable the developer to meet the requirements to receive state or federal assistance, the City is required to provide a resolution designating the site as a Brownfield Area. The site is located in Council District 4.

Policy Impact: Public Works/Solid Waste Division

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Resolution 2013-312

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Edward N. Gadsden, Jr. as Director of Employee Services.

Background Information: Section 33.102, *Ordinance Code*, provides that the Director shall have a bachelor's degree or higher from an accredited college or university and at least five years of full-time experience in human resources management.

Mr. Gadsden received a bachelor's degree in sociology and African American studies from Towson University. He is the founder of *Creative Source Consulting* and has held various Human Resources / Diversity positions.

NOTE: Line 12 of this bill may need to be amended to correct the position title to "Director of Employee Services".

Policy Impact Area: Employee Services Department operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$101,751 - \$166,125 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2013-313

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Dr. Mel C. Norwood, II, as a member of the Jacksonville Housing and Community Development Commission (JHCDC), filling the seat formerly held by Charles Spencer as a citizen resident, for an unexpired term ending November 30, 2014, followed by a four-year term.

Background Information: The JHCDC is established pursuant to Chapter 35, *Ordinance Code*, in accordance with Section 420.9076, *Florida Statutes*, and charged to act as an advisory committee, conduct any required public hearings, undertake the review, take any and all required actions for compliance, and make recommendations to the Council for adoption (and authorize the transmittal) as required by section 420.9076, *Florida Statutes*, regarding local affordable housing incentives.

Section 35.703, *Ordinance Code*, provides that six of the members of the Commission shall be appointed by the Mayor and confirmed by Council.

Dr. Norwood received a doctorate degree in higher education administration from Auburn University and is a Campus Achievement Leader with FSCJ. He resides in the Spring Glen area within Council District #4.

NOTE: This bill may need to be amended to reflect that the membership terms of the Commission end in **November**, not in June as currently shown.

Policy Impact Area: Jacksonville Housing and Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-314

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

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Council President's and Mayor's joint appointment of Rory John Diamond to the Jacksonville Journey Oversight Committee, filling the seat formerly held by Susie Wiles, for a first full term ending December 31, 2016.

Background Information: The Jacksonville Journey Oversight Committee was initially established via Ordinance 2008-555-E and continued via Ordinance 2012-433-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 Council President and Mayor.

Mr. Diamond received a law degree from the University of San Diego and is an Attorney with *McGuireWoods LLP*. Mr. Diamond resides in Duval County.

Policy Impact Area: Jacksonville Journey Oversight Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-0315

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Appointment

Bill Summary: This bill appoints Stephen C. Swann to the Jacksonville International Airport (JIA) Area Redevelopment Agency Board, replacing Paul Schmidt as the representative for School Board District #2, for an unexpired term ending June 30, 2014.

Background Information: The JIA Area Redevelopment Agency Board is an advisory board to the Office of Economic Development. Per Ordinance 90-409-293, which created the board, the seven members are appointed by the Council, one each from the seven School Board districts.

Mr. Swann received a master's degree in environmental engineering from the University of Florida and is a Florida licensed Professional Engineer. He is a Vice President and Director of Business Operations with *Applied Technology & Management, Inc.* Mr. Swann also serves on the Jacksonville Waterways Commission. He resides in Atlantic Beach within Council District #13 (School Board District #2).

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-316

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Appointment

Bill Summary: This bill appoints Roshanda M. Jackson to the Public Service Grant Council, as a member with grant experience, filling the seat formerly held by James Poindexter, for an unexpired term ending December 31, 2013.

Background Information: The Public Service Grant Council is established pursuant to Chapter 118, *Ordinance Code*, and charged with the review and evaluation of all Public Service Grant applications and responsibility for making funding recommendations to the Mayor and City Council for Public Service Grants. Ordinance 2013-116-E, enacted March 12th, added the requirement that a minimum of two of the six Council appointees be persons with prior experience with grant processes, whether as grant writers, applicants, administrators, or recipients.

Ms. Jackson is the CEO / Executive Director at *Northside Community Involvement, Inc.*, a faith-based non-profit agency, and he has previously served on the Jacksonville Housing and Community Development Commission. Ms. Jackson resides in the Highlands area within Council District #8.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-317

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Reappointment

Bill Summary: This bill reappoints Richard J. Redick, to the St. Johns River Ferry Commission, for a first full three-year term ending June 30, 2016.

Background Information: The St. Johns River Ferry Commission is established pursuant to Chapter 93, *Ordinance Code*, and charged with the operational control of all operations, maintenance and capital improvements for the Mayport Ferry. Section 93.103, *Ordinance Code*, provides that four of the members shall be members of the general public appointed by the City Council.

Mr. Redick received a master's degree in finance from Temple University and is the President / Owner of *2111 Third St. Corp.*, a real estate holding company. He resides in Jacksonville Beach within Council District #13.

Attendance: According to information provided by the staff for the Commission, Mr. Redick has attended 79% of the meetings held since his initial appointment in 2012.

	Meetings Attended	Meetings Held
2012	10	14
2013	5	5
Total	15	19

Policy Impact Area: St. Johns River Ferry Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2013-318

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's reappointment of C. Scott Wiley to the Duval County Election Advisory Panel, for a second three-year term ending April 16, 2016.

Background Information: The Duval County Election Advisory Panel is established pursuant to Chapter 59, *Ordinance Code*, and charged to study and make recommendations to the Supervisor of Elections to increase the quality of voter registration and education efforts; study and make recommendations to the Supervisor of Elections to enhance the voter's election-day experience, including poll worker training, polling locations, ballot styles, and fraud prevention; evaluate and recommend improvements on the election effectiveness, including number of overvotes, undervotes and spoiled ballots, voter complaints, and voter turnout; review and comment on ballot styles, instructions and absentee ballot appearance; and make an annual report to Council on progress, including an incorporation of any statistics, charts, studies, reports, or other data and materials generated.

Section 59.103, *Ordinance Code*, provides that the members of the Duval County Election Advisory Panel shall be Duval County registered voters and three of the members shall be designated by the Council President and confirmed by the City Council.

Mr. Wiley received a bachelor's degree in business management from Jones College. He was elected to the Neptune Beach City Council in 2012 and is a Real Estate Agent with *Terry McCue Realty, Inc.* Mr. Wiley is President of the *First Coast Republican Club* and resides in Neptune Beach within Council District #13.

Attendance: According to information provided by the staff for the Panel, Mr. Wiley has attended 86% of the meetings held since his initial appointment in 2010.

	Meetings Attended	Meetings Held
2010	4	4
2011	6	8
2012	8	9
2013	1	1
Total	19	22

Policy Impact Area: Duval County Election Advisory Panel operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2013-319

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's reappointment of M.G. Orender, to the Comcast Settlement Community Panel, for a seventh one-year term ending December 31, 2013.

Background Information: Resolution 2003-186-A, approved February 25, 2003, authorized a settlement agreement between the City and *Comcast of Greater Florida/Georgia, Inc.* The agreement provided for Comcast to make annual payments of \$150,000 over a period of 10-years. Grants from the settlement payments are to be awarded by a community panel comprised of five members, of which one member is to be appointed by the Council President and ratified by the Council.

Mr. Orender received an associate's degree in criminal justice and is a licensed Real Estate Broker. He is the President of *Hampton Golf, Inc.*, a golf course construction, management and ownership firm. Mr. Orender also currently serves on the Duval County Tourist Development Council and resides in Jacksonville Beach within Council District #13.

Attendance: Mr. Orender was initially appointed to the Panel in the 2006 and has served continuously since then. According to Comcast staff, he has attended 100% of the Panel meetings.

Policy Impact Area: Comcast Community Settlement Panel operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2013-320

Sponsor: Council Member Schellenberg

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 13, 2013

Type of Action: Reappointment

Bill Summary: This bill reappoints Arthur A. Costa, Sr. to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 6, for a second two-year term ending June 30, 2015.

Background Information: The Jacksonville-Duval County Council on Elder Affairs is established pursuant to Chapter 82, *Ordinance Code*, and charged to serve as an advocate, for the older persons in the city, to the governmental agencies responsible for the various plans and programs designed to help older persons; assist in the implementation of plans and programs selected by regional organizations, as they relate to the city and its citizens; and designate priorities among programs developed in the city by public, nonprofit and private providers concerning older persons. Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members.

Mr. Costa received a master's degree in education from Jacksonville University and a master's degree in economics from the University of Houston. He is retired from the telecommunications industry and resides in the Mandarin area within Council District #6.

Attendance: According to information provided by the staff for the Council on Elder Affairs, Mr. Costa has attended 94% of the meetings held since his initial appointment in 2011.

	Meetings Attended	Meetings Held
2011	1	1
2012	10	11
2013	4	4
Total	15	16

NOTE: Line 17 of his bill needs to be amended to reflect that Mr. Costa is being reappointed to a "**second two-year**" term, not a "first full" term, as is currently shown.

Policy Impact Area: Jacksonville-Duval County Council on Elder Affairs operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2013-324

Introducer/Sponsor(s): Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: F

Date of Analysis: May 14, 2013

Type of Action: Authorizing issuance of health care facilities revenue bonds; authorizing Interlocal agreement; designation of oversight department

Bill Summary: The bill authorizes the issuance of up to \$35 million in Jacksonville Health Care Facilities Revenue Bonds on behalf of Genesis Health, Inc. (d/b/a Brooks Rehabilitation) and/or one or more of its affiliates for the purposes of financing the construction of a new skilled nursing facility on the Brooks campus, refinancing existing Brooks Rehabilitation debt, refinancing indebtedness and completing payments on a Genesis Health facility in Daytona Beach, and financing renovations and equipment expenditures at other Brooks Rehab facilities in Jacksonville. The bill authorizes an Interlocal agreement between Jacksonville and the City of Daytona Beach to permit the use of Jacksonville health care facilities bond revenue in that jurisdiction. The bill also authorizes the borrower (Brooks Rehabilitation) to enter into one or more qualified hedge contracts as defined by U.S. Treasury regulations. The bill designates the Office of Economic Development as the City's oversight agency and authorizes the Economic Development Officer to execute documents and take other such actions necessary to carry out the bill's intent.

Background Information: The Brooks Rehabilitation system operates several health care facilities in Jacksonville, including its 157-bed hospital at Beach Boulevard and University Boulevard, a skilled nursing facility, 25 outpatient rehabilitation centers, and a home health agency. The company also operates in other parts of Florida, including the Halifax Inpatient Rehabilitation Unit at Halifax Medical Center in Daytona Beach. The company desires to use the City's health care facilities revenue bonds to borrow on a tax-free basis to build a new skilled nursing facility on its main Jacksonville campus, to complete the construction of the Daytona Beach facility, to make miscellaneous capital improvements throughout the Brooks Rehab Jacksonville facilities, and to refinance certain previous debt for such projects at a lower interest rate.

Policy Impact Area: Tax free borrowing capability

Fiscal Impact: The City bears no financial liability for the bonds – the cost of debt service is completely covered by the borrower.

Analyst: Clements

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Bill Type and Number: Ordinance 2013-325

Introducer/Sponsor(s): Council Member Jones

Date of Introduction: May 14, 2013

Committee(s) of Reference: First reading emergency – no committee reference

Date of Analysis: May 16, 2013

Type of Action: Authorizing execution of amended bond indenture; designation of oversight agency

Bill Summary: The bill authorizes the execution of amended indentures to City special facility airport revenue bonds previously issued by the JEDC on behalf of Holland Sheltair Aviation Group entities to permit the borrower to change the interest rate mode of the bonds. The bill designates the Office of Economic Development as the City's oversight agency and authorizes the Economic Development Officer to execute documents and take such other actions as are necessary to carry out the intent of this ordinance.

Background Information: The City issued airport revenue bonds on behalf of Holland Sheltair Aviation Group in 2004, 2005, 2008 and 2010. This bill authorizes amendments to the bond indentures and amended loan agreements for those bonds to permit Holland Sheltair to change the interest rate mode of the bonds to allow for a fixed rate based on a bank interest rate.

Policy Impact Area: Amendment of revenue bond terms

Fiscal Impact: None to City – the company is fully responsible for all debt service

Analyst: Clements

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Bill Type and Number: Resolution 2013-326

Introducer/Sponsor(s): Council Member Jones

Date of Introduction: May 14, 2013

Committee(s) of Reference: First reading emergency – no committee reference

Date of Analysis: May 16, 2013

Type of Action: Petition to local Head Start operating agency

Bill Summary: The bill urges Community Development Institute – Head Start (CDI HS), the interim operator of a large Head Start program in the city, to rescind its decision to close the program 3 weeks early before the close of the school year.

Background Information: CDI HS was selected by the federal government as the interim operator of the local Head Start program formerly run by the Jacksonville Urban League after problems were discovered with the Urban League's management of the program. CDI HS recently announced that the 24 Head Start centers it now manages would be shut down on Friday, May 17th, three weeks before the end of the school year due to safety concerns. This will have the effect of removing the current day care provision system for approximately 2,000 3- and 4-year-olds in Jacksonville on short notice, causing headaches for those families as they attempt to make new day care arrangements on very short notice.

Policy Impact Area: Head Start program operation

Fiscal Impact: None to City

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2013-327

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: May 14, 2013

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

Date of Analysis: May 16, 2013

Type of Action: Approval of termination of previous agreement; request for 1-cycle emergency passage

Bill Summary: The bill authorizes the execution of a Letter of Termination that cancels the existing agreement between the City of Jacksonville and Jacksonville Beach Elementary Preservation Fund, Inc. (JBEPF) to facilitate a lease agreement between JBEPF and a third party for use of the former school building. The termination agreement requires that JBEPF must record a Declaration of Covenants and Restrictions for the building in the public record regarding use of the building. The bill requests 1-cycle emergency passage of the bill.

Background Information: The City allocated \$50,000 from the Better Jacksonville Plan in 2001 to help pay the costs of moving the former Jacksonville Beach Elementary School building to a new location on 4th Street South in Jacksonville Beach to preserve the historic building for re-use. In 2006 the City allocated \$25,000 in Autumn Bond funds to restore the building's furniture. The City and JBEPF had an agreement for operation of the building as the Rhoda L. Martin Cultural Heritage Center. The JBEPF has been approached by an organization desiring to utilize the building as an educational facility, and so desires to terminate the agreement with the City for the cultural heritage center to allow the alternative use. The JBEPF is being required to record a Declaration of Covenants and Restrictions in the public record which restrict the use of the property to public uses, including historic, cultural, recreational and/or educational uses for the benefit of the public.

Policy Impact Area: Historic preservation

Fiscal Impact: None to City

Analyst: Clements

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Bill Type and Number: Ordinance 2013-328

Introducer/Sponsor(s): Council Members Lee, Boyer and Redman

Date of Introduction: May 14, 2013

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

Date of Analysis: May 16, 2013

Type of Action: Appropriation; Ordinance Code waiver; request for 1-cycle emergency approval

Bill Summary: The bill appropriates \$36,000 from the Metropolitan Park Maintenance and Improvements Trust Fund to Neighborhoods Department for the purchase of 6 sound pressure meters for use by the Environmental Quality Division to enforce the City's noise regulations. The bill waives provisions of Ordinance Code Sec. 111.120 – Metropolitan Park Maintenance and Improvements Fund – regarding authorized uses of the fund to permit the purchase of the sound meters. The bill requests 1-cycle emergency approval of the bill.

Background Information: The Council's Metropolitan and Urban Parks Ad Hoc Committee proposes the purchase of these additional sound meters as part of the overall effort to understand sound generation by concerts and other events at Metropolitan Park and to enforce the noise ordinance appropriately. The Environmental Quality Division has been monitoring sound generation by concerts in April and May to develop a baseline of data, but is limited by the number of meters available to deploy in the field during these events. The EQD currently has 6 old meters, of which 4 are calibrated and operational at the present time. The acquisition of 6 new meters will double the inventory of equipment and the new units will be more reliable than the older models.

Section 111.120 of the Code allows the Metropolitan Park Maintenance and Improvements Trust Fund to be used for maintenance and improvements to Metro Park and its facilities and to help support the operational and production costs associated with City co-sponsored special events in the park. The waiver is intended to permit the use for purchase of the meters that are not improvements to the park itself and may be interpreted not to be an operational or production cost of special events in the park.

Policy Impact Area: Noise regulation enforcement

Fiscal Impact: The bill appropriates \$36,000 from the Metropolitan Park Maintenance and Improvements Trust Fund

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2013-329

Sponsor: Council President Bishop

Date of Introduction: May 14, 2013

Committee(s) of Reference: R

Date of Analysis: May 15, 2013

Type of Action: Appointment

Bill Summary: This bill appoints Richard G. Patsy as a member of the Board of Trustees of the City of Jacksonville Retirement System, filling the citizen trustee seat formerly held by Henry Cook, for a three-year term.

Background Information: The Board of Trustees of the City of Jacksonville Retirement System is established in accordance with Chapter 120, *Ordinance Code*, and charged with the responsibility for administering the Jacksonville General Employees Pension Fund and the authority and duty, to hire actuaries, investment managers, performance evaluators and such other professional, technical or other advisors as it deems necessary. Section 120.102, *Ordinance Code*, provides that two of the members of the board shall be citizens, with professional experience in finance, investments, economics, pension management, pension administration and/or accounting, appointed by the Council.

Mr. Patsy received a master's degree in business administration from the State University of New York at Albany and is a Chartered Financial Analyst. He is the AVP for Pensions and Investments with CSX Corp. and resides in the Lakewood area within Council District #5.

Policy Impact Area: Jacksonville Retirement System Board of Trustees operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh