

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

**JEFFREY R. CLEMENTS**  
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FAX (904) 630-3403

**Bill Type and Number:** Ordinance 2007-597

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Agreement Authorization

**Bill Summary:** This bill authorizes the Mayor, or designee, and Corporation Secretary to execute a Stipulation Agreement with CSX Transportation, Inc., and the Florida Dept. of Transportation (FDOT) for the closing of existing at-grade crossings and the opening, signaling, and closing of temporary at-grade crossings as part of the New Kings Road Railroad Overpass.

**Background Information:** FDOT is a party to the agreement as New Kings Road is a state road, and the crossings must be opened and closed in conformity with FDOT standards.

**Policy Impact Area:** Public Works; Railroad Crossings

**Fiscal Impact:** Undetermined; information from the Dept. of Public Works states that no funding is involved in this agreement.

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-598

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

**Date of Introduction:** May 22, 2007

**Committee(s) of Reference:** F; ECID; TEUS

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation/CIP Amendment

**Bill Summary:** This legislation appropriates \$138,000 from the Water and Sewer Expansion Authority (WSEA) loan pool to provide additional funding to complete a proposed project for sewer infrastructure for new restroom facilities at the Tree Hill Nature Center, 7152 Lone Star Road, in accordance with Article 26 of the City Charter, as initiated by B.T. 07-147. The bill amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, to authorize Priority 1 Status for the "Tree Hill Nature Center Sewer Project."

**Background Information:** The project site is located in Council District 2. The project complies with the objectives of WSEA to provide funding for infrastructure for sewer utilities to neighborhoods within the City that have requested such services. The City's objective is to assist neighborhoods and households abandon septic tanks in favor of linkage with JEA operations.

**Policy Impact:** Water and Sewer Expansion Authority

**Fiscal Impact:** This bill appropriates \$138,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-599

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation; CIP Amendment

**Bill Summary:** This ordinance appropriates an additional \$23,000 from the Water and Sewer Expansion Authority (WSEA) general reserves account to provide funding, in addition to the \$95,000 loan to Church Fellowship Worship Ministries, authorized by Ordinance 2006-242-E, to complete the construction of sewer infrastructure for the church's new sanctuary at 8808 Lem Turner Road, in accordance with Chapter 26 of the City Charter. The ordinance amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, to authorize Priority 1 Status for the "Church Fellowship Sewer Project."

**Background Information:** The project site is located in Council District 8. This project complies with the City's objectives to provide assistance for infrastructure for sewer utilities to neighborhoods within the City that have requested such services.

**Policy Impact:** Water Sewer Expansion Authority

**Fiscal Impact:** The bill appropriates \$23,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-600

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Right-of-Way Closure

**Bill Summary:** This bill closes, abandons, and/or disclaims as a right-of-way a portion of New York Avenue, allowing the owner to provide clear title to property.

**Background Information:** The portion of New York Avenue being closed is located south of Collins Road. This action was requested by Good News Mortgage Company as a structure encroaches approximately 8 feet into the right-of-way. The \$1,500 closure application fee has been paid, and any government agency objections have been resolved. According to the legal description, the closure area contains 324 square feet.

**Policy Impact Area:** Real Estate-Closures; Streets and Drainage

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-607

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$200,000 from an Office of General Counsel Retained Earnings account to fund legal-related consultants, experts, and trial and litigation fees and costs that are anticipated to exceed the 2006-2007 budget.

**Background Information:** Annual budgeting for these purposes is an estimate only, and actual funding is dependent upon the issues and circumstances arising each fiscal year. Information from the Office of General Counsel states that the fund has been depleted due to litigation matters and unanticipated/unbudgeted issues requiring significant professional consultation.

**Policy Impact Area:** Office of General Counsel

**Fiscal Impact:** \$200,000 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-608

**Sponsor:** Council Member Copeland

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation/CIP Amendment

**Bill Summary:** This bill appropriates \$395,000 (\$355,000 from a Council District 6 Excise Tax Revenue Bond account and \$40,000 from a Tree Protection and Related Expenses Trust Fund account) to provide funding for renovations to Pickwick Park. Additionally, the Capital Improvement Program is amended for the project entitled "Pickwick Park Phase I."

**Background Information:** The renovations include playscapes, landscaping, and site preparation. The park is located at 3320 Chrysler Drive.

**Policy Impact Area:** Recreation and Parks; Council District Bond Funds; Capital Improvements

**Fiscal Impact:** \$395,000 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-609

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

**Date of Introduction:** May 22, 2007

**Committee(s) of Reference:** R; F; A; TEUS

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation/CIP Amendment/Ordinance Code Waiver

**Bill Summary:** This bill appropriates \$2,500,000 from the Fair Share Sector 6.1 account to fund improvements to the intersection of Yellow Bluff and New Berlin roads. The Capital Improvement Program is amended to add the project, authorizing priority 1 status. Sections 126.201-126.204 and 126.301, Ordinance Code, requiring that capital improvement contracts be awarded through a competitive bidding process, are waived.

**Background Information:** The project will provide for reconstruction of the intersection to current design standards, the addition of left turn lanes, and the upgrading of the traffic signal. Approval of the waiver will allow direct contracting with the on-site developer to design and construct City improvements in conjunction with private improvements being constructed in the same area.

**Policy Impact Area:** Public Works; Capital Improvements; Fair Share Transportation Improvements

**Fiscal Impact:** \$2,500,000 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-610

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation; CIP Amendment

**Bill Summary:** This ordinance provides \$2,000,000 in additional funding for the New Kings Road Pedestrian/Vehicle Railroad Crossing Grade Separation Project, A Better Jacksonville Plan Project, by reducing the approved funding for, and transferring those funds, from the Durkeeville West Drainage Project, another Better Jacksonville Plan Project, to the New Kings Road Pedestrian/Vehicle Railroad Crossing Grade Project, as initiated by B.T. 07-150. The bill amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, for the "Pedestrian/Vehicle Railroad Crossing Grade Project" and the "Durkeeville Area West Drainage Rehabilitation Project" to revise the listed project amounts.

**Background Information:** This bill transfers funds from one Better Jacksonville Plan project located in Council District 9 to another Better Jacksonville Plan project. Funding for both projects had been previously appropriated. The bill reduces the previously approved funding for the Durkeeville drainage project. The increased funding for the railroad crossing project enables the award of construction contracts and affects the completion of the project.

**Policy Impact:** Public Works/Better Jacksonville Plan

**Fiscal Impact:** This ordinance transfers \$2,000,000 from one BJP project to another. Funding for both projects had been previously appropriated.

**Analyst:** Jackson



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**Bill Type and Number:** Ordinance 2007-611

**Sponsor:** Council Member Ray

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This bill amends Chapter 250, Ordinance Code, relative to miscellaneous business regulations. Section 250.101 is amended to except and exclude from the definition of “distributor” any person motivated by bona fide religious beliefs as protected by the First Amendment to the United States Constitution, the Florida Constitution, and any Religious Freedom Restoration Act of the state or federal government. Additionally, Section 250.119 is amended to provide a permit and fee exemption for any person engaged in the exercise of his or her religious beliefs, as protected by the Florida Constitution and Statutes, and/or the United States Constitution and statutes.

**Background Information:** The term “distributor” currently includes those who distribute or offer to distribute, at a significantly reduced cost or at no cost, any food, beverages, merchandise, or services on private property, or public sidewalks or property.

**Policy Impact Area:** Business Regulations

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-612

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Street Closure

**Bill Summary:** This ordinance closes and abandons and/or disclaims a portion of an unnamed 64 foot unopened and unimproved right-of-way created by Plat of Garden City, recorded in Plat Book 5, Page 65, of the current Public Records of Duval County. The right-of-way is located near the intersection of Lem Turner Road and Robena Road, in Council District 11. The closure is at the request of Jack and Evelyn Meyers, to allow for the development of surrounding property.

**Background Information:** The closure request was routed to all agencies having an interest and any objections have been resolved.

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

**Fiscal Impact:** The applicant has paid a \$1400 closure application fee.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-613

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Roadway Closure

**Bill Summary:** This bill closes, abandons, and/or disclaims as a right-of-way a portion of an unnamed roadway off Old Kings Road to allow for development of surrounding property.

**Background Information:** The closure area is a 60 foot right-of-way created by the Plat of North Dinsmore Farms. Applicant for the closure is William J. Dean and the \$1,500 closure application fee has been paid. Any government agency objections have been resolved.

**Policy Impact Area:** Real Estate-Closures; Community Development

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-614

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Street Closure

**Bill Summary:** This bill closes and abandons a portion of Barrs Street, subject to the reservation of a partial easement for pedestrian traffic. As property owner, St. Vincent's Medical Center, Inc., is allowed to reconfigure certain improvements, provided that any such reconfiguration provide alternative pedestrian sidewalks should safety reasons call for sidewalk relocations. This will grant St. Vincent's the additional land to improve, maintain, and control all of the medical center's traffic and parking.

**Background Information:** The closure area involves Barrs Street from Riverside Avenue to St. Vincent's Medical Center, and this allows for control of the remaining portion of Barrs Street lying completely within the hospital campus. Applicant for the closure is St. Vincent's Medical Center and a \$1,400 closure application fee has been paid. Any government agency objections have been resolved.

**Policy Impact Area:** Real Estate-Closures; Streets and Highways; Sidewalks

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Resolution 2007-616

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 17, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the reappointment of John E. Jolly as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second term ending June 30, 2010.

**Background Information:** Chapter 57, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Council President. Mr. Jolly received a master's degree in accounting from the University of Florida and retired from JEA as the Manager, Treasury & Cash Management Operations. He was appointed as the Support Division Chief within the Public Utilities Department in 1988, a position he held until that unit was transferred to the JEA in 1997. Mr. Jolly resides in the City of Neptune Beach within Council District #13.

**Policy Impact Area:** TRUE Commission Operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-617

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Anne T. Egan as a member of the Jacksonville Children's Commission, as an at-large representative for a second term ending July 15, 2011.

**Background Information:** Chapter 51, *Ordinance Code*, provides that the eleven voting members of the Jacksonville Children's Commission shall be citizens and residents appointed by the Mayor and confirmed by Council. Dr. Egan received a medical degree from Yale School of Medicine and is a Pediatrician with The Carithers Pediatric Group. She resides in the Ortega area within Council District #14.

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

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-618

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Paul Saffell as a member of the Jacksonville Children's Commission, as a School Board District #3 representative, for a first full term ending July 15, 2011.

**Background Information:** Section 51.103, *Ordinance Code*, provides that seven of the voting members of the Jacksonville Children's Commission shall be appointed by the Mayor and shall reside in one each of the School Board Districts. Mr. Saffell received a bachelor's degree in business from Florida State University and is a real estate investor. He resides in the San Marco area within Council District #5.

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

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-619

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Gloriden J. Norris to the Jacksonville Children's Commission, as the School Board District #4 representative, for a second term ending July 15, 2011.

**Background Information:** Section 51.103, *Ordinance Code*, provides that seven of the voting members of the Jacksonville Children's Commission shall be appointed by the Mayor and shall reside in one each of the School Board Districts. Ms. Norris received a master's degree in education from the University of North Florida and is the Ribault Full Service School Coordinator for the *United Way of Northeast Florida*. She resides in the Lake Forest Hills area within Council District #8.

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

**Fiscal Impact:** None

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2007-620

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Hugh K. Howton as a member of the Jacksonville-Duval County Council on Elder Affairs, for a first full term ending June 30, 2009.

**Background Information:** Chapter 82, *Ordinance Code*, provides that five of the members of the Council on Elder Affairs shall be appointed by the Mayor and confirmed by Council. Mr. Howton attended Massey Business College and is an entrepreneur. He previously served on the Military Affairs Advisory Commission (1985-1992). Mr. Howton resides in the Ortega Forest area within Council District #14.

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

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-621

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Daniel "Dan" O'Connor as a member of the Duval County Election Advisory Panel, for a first full term ending April 16, 2010.

**Background Information:** Chapter 59, *Ordinance Code*, provides that three of the members of the Duval County Election Advisory Panel shall be Duval County registered voters designated by the Mayor and confirmed by the Council. Mr. O'Connor received a master's degree in mental health counseling from the University of North Florida and is a Senior Rehabilitation Specialist with the *Division of Blind Services*. He resides in the Alderman Park area within Council District #1.

**Policy Impact Area:** Duval County Election Advisory Panel operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-622

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Patt Sher as a member of the Duval County Election Advisory Panel, for a second term ending April 16, 2010.

**Background Information:** Chapter 59, *Ordinance Code*, provides that three of the members of the Duval County Election Advisory Panel shall be Duval County registered voters designated by the Mayor and confirmed by the Council. Ms. Sher received a law degree from the University of Florida. She resides in the Beauclerc area within Council District #6.

**Policy Impact Area:** Duval County Election Advisory Panel operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-623

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Ava L. Parker as a member of the Jacksonville Transportation Authority, for a first full term ending May 31, 2011.

**Background Information:** Per Chapter 349, *Florida Statutes*, three of the members of the Jacksonville Transportation Authority shall be City of Jacksonville residents and qualified electors appointed by the Mayor and confirmed by the Council. Ms. Parker received a law degree from the University of Florida and is a managing partner with *Lawrence, Parker & Neighbors, LLC*. She has previously served on the Jacksonville Ethics Commission and the Housing Commission. Ms. Parker resides in the Biscayne area within Council District #7.

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

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-624

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Karen R. Wolfson as a lay member of Joint Planning Committee, for a first full term ending June 30, 2009.

**Background Information:** Resolution 2001-65-A created the Joint Planning Committee and provides for two lay members appointed by the Mayor. Ms. Wolfson received a master's degree in education from the University of Memphis and is a retired educator. She resides in Atlantic Beach within Council District #13.

**Policy Impact Area:** Duval County School Board and City Council Joint Planning

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-625

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Charles R. Curley, Jr. as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second term ending June 30, 2010.

**Background Information:** Chapter 57, *Ordinance Code*, provides that six of the members of the TRUE Commission shall be residents appointed by the Mayor and confirmed by the City Council. Mr. Curley received a law degree from Mercer University and is an attorney with *Rogers Towers Attorneys at Law*. He resides in the Deerwood area within Council District #13.

**Policy Impact Area:** TRUE Commission Operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-626

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Pamela V. Korn as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a first full term ending June 30, 2010.

**Background Information:** Chapter 57, *Ordinance Code*, provides that six of the members of the TRUE Commission shall be residents appointed by the Mayor and confirmed by the City Council. Ms. Korn received her M.B.A. from the University of Toronto and is a Senior Vice President Credit Administration with *American Enterprise Bank of Florida*. She resides in the Monclair area within Council District #5.

**Policy Impact Area:** TRUE Commission Operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-627

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 22, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Patricia I. Hannan as a member of the Environmental Protection Board, as a discreet citizen representative, for a first full term ending September 30, 2009.

**Background Information:** Chapter 73, *Ordinance Code*, provides that six of the members of the Environmental Protection Board are to be appointed by the Mayor in various categories including discreet citizens representing the general public. Ms. Hannan received a bachelor's degree in economics and finance from Tufts University and is the Executive Director of *Community Connections of Jacksonville, Inc.* She has previously served on the JEA Board. Ms. Hannan resides in the Deerwood area within Council District #13.

**Policy Impact Area:** Environmental Protection Board operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2007-628

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 22, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Justin E. Spiller as a member of the Jacksonville Small & Emerging Business "JSEB" Monitoring Committee, replacing Deborah Thompson as a private citizen, for a first full term ending April 30, 2010.

**Background Information:** Section 126.607(c), *Ordinance Code*, provides for that three of the members of the JSEB Monitoring Committee are to be appointed by the Mayor in various categories including a private citizen. Mr. Spiller received a law degree from Emory University and is in practice with *Rogers Towers, PA*. He resides in downtown within Council District #4.

**Policy Impact Area:** JSEB Monitoring Committee operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-629

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 22, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Ronald Townsend as a member of the JEA Board, replacing Ernie Isaac, Jr., for a first full term ending February 28, 2011.

**Background Information:** Section 21.03(a), *Charter*, provides that the seven members of the JEA Board are to be city residents appointed by the Mayor and confirmed by Council. Mr. Townsend retired from the *Gannett Television Group* and is a communications consultant. He has previously served on the Jacksonville Aviation Authority. Mr. Townsend resides in the Girvin area within Council District #3.

**Policy Impact Area:** JEA Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-630

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 22, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Michael R. Hightower as a member of the JEA Board, replacing Leroy R. Polite, for a first full term ending February 28, 2011.

**Background Information:** Section 21.03(a), *Charter*, provides that the seven members of the JEA Board are to be city residents appointed by the Mayor and confirmed by Council. Mr. Hightower graduated from Jacksonville University and is the Vice President for Government and Legislative Relations with *Blue Cross Blue Shield of Florida*. He has previously served on the JEA Board (1996-2004). Mr. Hightower resides in the Avondale area within Council District #14.

**Policy Impact Area:** JEA Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-631

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 22, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Nicole E. Lester as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Mark J. Roesser for an unexpired term ending June 30, 2008.

**Background Information:** Chapter 57, *Ordinance Code*, provides that six of the members of the TRUE Commission shall be residents appointed by the Mayor and confirmed by the City Council. Ms. Lester received a bachelor's degree in political science/criminal justice from Florida Agricultural and Mechanical University and is a Senior Loan Officer/Branch Manager with *Prime Plus Mortgage, Inc.* She resides in the Springfield area within Council District #7.

**Policy Impact Area:** TRUE Commission Operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-632

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Eminent Domain Authorization

**Bill Summary:** This legislation declares the public necessity for acquiring fee simple title through condemnation by right of eminent domain in certain land in Council District 3 to acquire a pond site for the San Pablo Road Right-of-Way project, a Better Jacksonville Plan project. The resolution authorizes and directs the Office of General Counsel to initiate appropriate condemnation proceedings.

**Background Information:** The pond site is RE#167132-1020; the owner is Heritage III, Ltd., President Bill Register. The appraised value of the site is \$100,000. The size of the site is 2.5 acres.

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

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-633

**Sponsor:** Council Member Self:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This ordinance amends Section 111.120 (Metropolitan Park Maintenance and Improvements Fund), *Ordinance Code*, to clarify language and provide for deposit of Metropolitan Park Marina dock slip rental fees.

**Background Information:** The Jacksonville Waterways Commission proposed and the City Council enacted legislation that created a special trust fund for the deposit of fees charged for various events at Metropolitan Park. The fees collected were to be used for park improvements. It had come to the attention of the Waterways Commission that dock rental fees collected were deposited in the General Fund rather than the trust fund. This bill would deposit fees collected for dock slip rentals in the Metropolitan Park Maintenance and Improvement Fund.

**Policy Impact:** Parks, Recreation, Entertainment & Conservation

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-634

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation Carryover

**Bill Summary:** This bill requires that the balance of funds appropriated in Ordinance 2004-1382-E not lapse, but carryover into fiscal year 2006-2007.

**Background Information:** The \$246,539 appropriation from the Teen Court Programs Trust Fund in Ordinance 2004-1382-E provided for the carryover of funds to September 30, 2006. The procurement of the state contract and unexpected delays in vendor contracts caused the funds to not be fully expended until December 31, 2006, and program administration is trying to close the books and fully compensate the programs for the services provided. In particular, there is a request for the deadline relative to the \$39,900 appropriation for the State Attorney's Office-Mental Health Services for Youthful Offenders project to be extended.

**Policy Impact Area:** Budget and Accounting

**Fiscal Impact:** To be determined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-635

**Sponsor:** Council President at the Request of the General Counsel

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Settlement Approval

**Bill Summary:** This bill authorizes the Office of General Counsel to settle Parcels 108 and 706 in the eminent domain proceeding involving Clear Channel Outdoor, Inc., relative to the construction and maintenance of improvements to New Kings Road.

**Background Information:** The parcels are located in the vicinity of New Kings Road and Borden Street. The City's appraiser valued the taking at \$31,100, while the owner's appraiser and business damage experts valued the taking at \$1,043,900.

**Policy Impact Area:** Settlements; Streets and Drainage

**Fiscal Impact:** Undetermined; the settlement amount is \$287,400

**Analyst:** Campbell



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**Bill Type and Number:** Resolution 2007-637

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Brownfield designation

**Bill Summary:** This legislation designates the Dog Wood Park, located at 7407 Salisbury Road, owned by Hassan and Lear Acquisitions, Ltd., as a Brownfield Area for environmental rehabilitation and economic development.

**Background Information:** Brownfields are officially defined as real property whose use, development or redevelopment is hindered by the presence or potential presence of hazardous pollutants. Designation of a site as a brownfield area enables the City to be eligible for valuable economic incentives from the State (Florida Brownfields Redevelopment Act). The City Council as the County's governing body is required to officially designate the site as a brownfield area to meet eligibility requirements for economic incentives. The developer (Hassan and Lear) proposes to restore and redevelop the property to create workforce multi-family housing (648 dwelling units) that will create at least 10 permanent full-time jobs. The project site is located in Council District 4.

**Policy Impact:** Brownfields/Economic Development/Housing

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2007-638

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Richard L. Berry as a member of the Board of the Jacksonville International Airport (JIA) Area Redevelopment Agency, as the representative for School Board District 6, for a second term ending June 30, 2011.

**Background Information:** Per Ordinance 90-409-293, which created the JIA Area Redevelopment Agency, the board consists of seven members appointed by the Council, one each from the seven School Board districts. Mr. Berry is retired from the Federal Reserve Bank of Atlanta. He has previously served on the Charter Revision Commission (2001-2003) and the TRUE Commission (1997-2006). Mr. Berry resides in the San Mateo area within Council District #11.

**Policy Impact Area:** JIA Area Redevelopment Agency Board operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-639

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Stephen A. Berry to the Board of the Jacksonville International Airport (JIA) Area Redevelopment Agency, as the representative for School Board District 3, for a second term ending June 30, 2011.

**Background Information:** Per Ordinance 90-409-293, which created the JIA Area Redevelopment Agency, the board consists of seven members appointed by the Council, one each from the seven School Board districts. Mr. Berry received a bachelor's degree biology and chemistry from Birmingham Southern College and a bachelor's degree in environmental engineering and mathematics from the University of Florida. He is a Senior Environmental Consultant with *Berry Environmental Services, LLC* and resides in the Craven area within Council District #5.

**Policy Impact Area:** JIA Area Redevelopment Agency Board operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-640

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Calvin L. Burney to the Board of the Jacksonville International Airport (JIA) Area Redevelopment Agency, as the representative for School Board District 5, for a second term ending June 30, 2011.

**Background Information:** Per Ordinance 90-409-293, which created the JIA Area Redevelopment Agency, the board consists of seven members appointed by the Council, one each from the seven School Board districts. Mr. Burney received a master's degree in city planning from the Georgia Institute of Technology and is with *Transportation Planning Group, Inc.* He has previously served as the Chief of Transportation Planning (1989-1999) and as a member of the Joint Planning Committee (2002-2004). Mr. Burney resides in the Lincoln Hills area within Council District #10.

**Policy Impact Area:** JIA Area Redevelopment Agency Board operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-641

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Brady S. Rigdon as Chief of Fire Operations within the Fire & Rescue Department, retroactively effective to November 4, 2006.

**Background Information:** Per 31.202 of the *Ordinance Code*, the requirements for this position are at least five years' experience in the administration of firefighting, emergency medical or rescue personnel, equipment and apparatus; or commensurate training and experience. Chief Rigdon received an associate's degree in fire science technology from FCCJ and has completed various specialized career-related courses. He has been employed with the City, within the Fire & Rescue Department, since 1991 working his way up to Battalion Chief, a position he has held since 2005.

**Policy Impact Area:** Fire & Rescue Department / Fire Operations Division operations

**Fiscal Impact:** The salary range for the position is \$74,094 to \$118,550.

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-642

**Sponsor:** Transportation, Energy, Utilities and Safety Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and Garden Street Venture, LLC for the "Garden Park Station Tarragon" shopping center project.

**Background Information:** The Garden Park Station Tarragon project consists of a shopping center of up to 250,000 square feet on a 33.27-acre tract at the southwest corner of Garden Street and Jones Road in Council District 8. The fair share assessment is \$4,410,923 with a 5-year term and an inflation rate of 3.3%. Concurrency Review estimated peak p.m. hour trip generation on deficit links in fund sector 5.1 as follows:

<u>Peak hour trips</u>	<u>Link #</u>	<u>Roads</u>
229	330	Jones Road, from Garden Street to Cisco Drive
347	331	Jones Road, from Cisco Drive to Pritchard Road
295	343	Garden Street, from Shane Road to Imeson Road

**Policy Impact Area:** Economic development/streets and roads

**Fiscal Impact:** The fair share assessment is \$4,410,923 to the Sector 5.1 account.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-643

**Sponsor:** Transportation, Energy, Utilities and Safety Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and D. R. Horton, Inc. for a residential project to be known as "Barrington Cove – Phase III".

**Background Information:** The Barrington Cove – Phase III project consists of 39 residential dwelling lots on 30.37 acres north of Dunn Avenue, between Braddock Road and Young Road in Council District 8. The fair share assessment is \$373,770 with a 3-year term and an inflation rate of 3.3% per year. Concurrency Review estimates peak hour trips being generated on deficit links in fund sector 6.2. as follows:

<u>Peak hour trips</u>	<u>Link #</u>	<u>Roads</u>
27	115	Dunn Avenue, from New Kings Road to VC Johnson Road
17	116	Dunn Avenue, from VC Johnson Road to Lem Turner Road
21	150	New Kings Road, from Dunn Avenue to I-295

**Policy Impact Area:** Economic development/streets and roads

**Fiscal Impact:** The fair share assessment is \$373,770 to the Sector 6.2 account.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-644

**Sponsor:** Transportation, Energy, Utilities and Safety Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and Group IV Jaxport, LLC for the "Group IV Development – Alta Drive Industrial Park II" warehouse project.

**Background Information:** The Group IV Development – Alta Drive Industrial Park II project consists of up to 275,000 square feet of heavy warehouse space on 16.63 acres on Alta Road between Brown and Luke Drives and the intersection of State Road 9-A and Alta Drive in Council District 11. The fair share assessment is \$108,710 with an 8-year term and an annual inflation rate of 3.3%. Concurrency Review estimated a total of peak hour trips being generated on deficit links in fund sector 6.1. as follows:

<u>Peak hour trips</u>	<u>Link #</u>	<u>Roads</u>
14	385	Yellow Bluff Road, from New Berlin Road to Rushing Branch Rd.
14	386	Alta Drive, from Rushing Branch to Faye Road
44	559	Alta Drive, from Faye Road to SR 9-A

**Policy Impact Area:** Economic development/streets and roads

**Fiscal Impact:** The fair share assessment is \$108,710 to the Sector 6.1 account.

**Analyst:** Clements



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**Bill Type and Number:** Resolution 2007-645

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

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Daniel A. Kleman as Director of Fire & Rescue.

**Background Information:** Per 31.101 of the *Ordinance Code*, the requirements for this position are a college degree, proven administrative ability and at least five years of administrative experience in the field of public safety; or commensurate training and experience. Mr. Kleman received a master's degree in government administration from the University of Pennsylvania. He has been employed with the City since 2004, serving in the Mayor's Office as the Chief Operating Officer and then the Chief Administrative Officer, before his transfer to the Fire & Rescue Department in 2006. Prior to his employment with the City, Mr. Kleman was the County Administrator for Hillsborough County (1994-2003).

**Policy Impact Area:** Fire & Rescue Department operations

**Fiscal Impact:** The salary range for the position is \$108,868 to \$174,189

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-646

**Sponsor:** Transportation, Energy, Utilities and Safety Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and PBK Investments, LLC for the "Alta Lakes Industrial Park" warehouse project.

**Background Information:** The Alta Lakes Industrial Park project consists of up to 793,000 square feet of warehouse space on 65.04 acres on Blasius Road between Faye Road and New Berlin Road in Council District 11. The fair share assessment is \$452,891 with a 10-year term and an annual inflation rate of 3.3%. Concurrency Review estimates a total of peak hour trips being generated on deficit links in fund sector 6.1 as follows:

<u>Peak hour trips</u>	<u>Link #</u>	<u>Roads</u>
24	376	New Berlin Road, from Cedar Point Road to Heckscher Drive
31	385	Yellow Bluff Road, from New Berlin Road to Rushing Branch Rd.
31	386	Alta Drive, from Rushing Branch to Faye Road
266	559	Alta Drive, from Faye Road to SR 9-A

**Policy Impact Area:** Economic development/streets and roads

**Fiscal Impact:** The fair share assessment is \$452,891 to the Sector 6.1 account.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-647

**Sponsor:** The Council President at the request of the Sheriff:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This ordinance concerns County detention facilities and the introduction of illegal or contraband articles. The ordinance amends Title XVI (Corrections) to create Chapter 647 (Detention Facilities) and Section 647.101 (Contraband Articles), to make it unlawful unless duly authorized or approved by the Sheriff to introduce certain defined illegal items or contraband upon the grounds of any County detention facility, as defined by Florida Statutes.

**Background Information:** This legislation address the increasing problem that detention facilities are experiencing in the secretive introduction of contraband materials such as cell phones, pagers, Blackberries, etc. into detention centers. These contraband devices are often used to affect an escape or to conduct or abet other illegal activity.

**Policy Impact:** Jacksonville Sheriff's Office

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-648

**Sponsor:** Council Member Copeland and the Council President at the request of the Mayor:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Agreement Authorization

**Bill Summary:** This ordinance approves and authorizes the Mayor and Corporation Secretary to execute an Agreement between Intracoastal Associates, LLC and the City of Jacksonville pursuant to Intracoastal purchasing and installing certain drainage improvements required by the City and Intracoastal on land owned by the City in the vicinity of Orange Picker Road, in Council District 6, in return for funding from the City in the amount of \$750,000, as previously appropriated by Ordinance 2001-1333-E.

**Background Information:** Ordinance 2001-1333-E approved the issuance of \$94,000,000 Capital Project Revenue Bonds. \$700,000 was allotted for the Orange Picker Road Drainage project to reduce flooding in this Mandarin neighborhood. Increased costs meant that the City could only construct a portion of the needed improvements. Intracoastal Associates was developing a project in an adjoining area. Intracoastal agreed to construct the entire project (the City's improvements), and supplement any shortfalls, for \$750,000. This ordinance authorizes and approves the required Agreement necessary to move forward.

**Policy Impact:** Public Works

**Fiscal Impact:** The City will contribute \$750,000 in previously-appropriated funds to the developer to construct the project.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-649

**Sponsor:** Council Member Copeland

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation/CIP Amendment

**Bill Summary:** This bill appropriates \$158,705 from a Council District 6 Excises Tax Revenue Bond account to assist in funding the proposed parking lot expansion for the Mandarin Senior Center. Additionally, the Capital Improvement Program is amended for the Mandarin Senior Center-Parking Lot project.

**Background Information:** The project includes site preparation, design, engineering, landscaping, permits, and construction.

**Policy Impact Area:** Adult Services; Council District Bond Funds; Capital Improvements

**Fiscal Impact:** \$158,705 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-650

**Sponsor:** Council Member Graham:

**Date of Introduction:** May 22, 2007

**Committee(s) of Reference:** F; A; ECID; R

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation; Amendment Approval; Ordinance Code Waiver

**Bill Summary:** This ordinance appropriates \$25,000 from the proceeds of the city's Excise Taxes Revenue Bonds authorized by Ordinance 2004-998-E, District 13 Council Discretionary Funds, to assist in funding for renovations to the roof and floor of the Beaches Boys & Girls Club. The ordinance approves and authorizes the Mayor and Corporation Secretary to execute Amend Number 1 to the Agreement between the City of Jacksonville and the Boys & Girls Club of Northeast Florida for renovations to the Beaches Boys & Girls Club. A reverter clause is provided. The Public Works Department is appointed to oversee the project. Requirements of a provision in the Ordinance Code invoking the exception of the Procurement Code to authorize direct contracting with BGCNEF are waived.

**Background Information:** This legislation enables the use of District 13 bond monies to assist in funding for renovations at the Boys & Girls Club at the Beaches.

**Policy Impact:** District Revenue Bond funds/Public Works

**Fiscal Impact:** The bill appropriates \$25,000

**Analyst:** Jackson

**CITY COUNCIL RESEARCH DIVISION**  
LEGISLATIVE SUMMARY



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**Bill Type and Number:** Ordinance 2007-651

**Sponsor:** Council Member Alvarez:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Reallocation of Funds

**Bill Summary:** This ordinance concerns Ordinance 2006-669-E which provided a contribution toward musical instruments and a trailer for the Baldwin Middle-High School Band to represent the State of Florida in the annual Fourth of July Celebration in Washington, D. C. in 2006. This bill provides for a new date for the return of unspent funds and provides for additional expenditures associated with unspent funds from Ordinance 2006-669-E.

**Background Information:** \$46,414 of Trailridge Landfill Mitigation funds were appropriated for a contribution for a trailer and musical instruments. There was insufficient time to purchase a trailer before the parade. Unspent funds were to be returned to the City by August 1, 2006. This bill requires that unspent funds be returned to the City by September 1, 2007 and that up to \$5,554 of the funds that remain unspent be spent on items on the Needs List for Baldwin Band Boosters/Baldwin Middle-Senior High School, items that include a freezer, sabers, rifles, Color Guard cart, etc.

**Policy Impact:** Trailridge Landfill Mitigation Funds/Baldwin Middle-High School

**Fiscal Impact:** This bill allows a reallocation of \$5,554 in previously-appropriated funds

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-652

**Sponsor:** Council Member Copeland

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Adoption of zoning overlay district

**Bill Summary:** The bill adopts a Mandarin Road and Scott Mill Road Zoning Overlay which specifies minimum lot size, lot width and setback sizes, and maximum lot coverage in the area. The overlay also regulates the materials of fences fronting on Mandarin and Scott Mill Roads. Lots are required to be a minimum of 1 acre and must be a minimum of 100 feet wide in the RR zoning district and 120 feet in the RLD zoning district. Front, side and back yard minimum setbacks are established, and a height limitation of 35 feet is imposed. Fences directly facing the two roads are required to be metal picket fences with brick or stucco columns, or other similar materials and configuration.

**Background Information:** The bill preface states that the area has a very distinctive look and feel, has thus far resisted intensive development pressures that might compromise the historic feel of the area, and notes that the area is a City-designated Scenic and Historic Corridor. The map attached to the bill describes the overlay zone as covering all of the riverfront properties west of Scott Mill Road south of Tacito Creek, and all of the riverfront properties north, west and south of Mandarin Road from Scott Mill Road on the north to approximately Longview Drive West on the south. The overlay also includes a majority, but not all, of the properties facing Mandarin Road on the inland side of the road, and includes all of the properties fronting on Orange Picker Road and properties on the west side of Flynn Road between Mandarin Road and Brady Road.

**Policy Impact Area:** Zoning overlay; historic/scenic district preservation

**Fiscal Impact:** Undetermined

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2007-653

**Sponsor:** Council Member Copeland

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Adoption of height restriction overlay zone

**Bill Summary:** The bill adopts a Mandarin Height Overlay zone for the area bounded by Greenland Road on the south, I-295 on the north, Derby Forest Drive on the west, and I-95 on the east, excluding existing DRIs. The overlay restricts building heights to 35 feet unless the property is in a commercial land use category that does not directly abut a residential use and is within 1,000 feet of a limited access right-of-way interchange. Heights in excess of 35 feet on commercial properties meeting the requirements described above are permitted, but require an additional 1 foot of building setback for each 3 feet of vertical height, up to a maximum height of 60 feet. Increases in height beyond 60 feet for the commercial properties meeting the requirements above shall require an Administrative Deviation. Increases in height beyond 35 feet for any other structures not specifically covered above shall also require an Administrative Deviation.

**Background Information:** The bill's preface states that the orderly development of Mandarin and the retention of the historic and scenic character of the area necessitate the restriction of tall structures to existing DRI properties and the areas immediately surrounding major roadway interchanges.

**Policy Impact Area:** Preservation of regional/neighborhood character

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-654

**Sponsor:** Council President at the request of the Affordable and Workforce Housing Task Force

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Adoption of task force report; directing implementation of report recommendations; requesting continuation of task force term

**Bill Summary:** The bill adopts the "Report of the Affordable and Workforce Housing Task Force" dated December 31, 2006 and updated May 2007. The bill directs and authorizes the Housing and Neighborhoods Department to implement the recommendations of the report when feasible and, where necessary, to present legislation to the Council as necessary to accomplish the implementation. The department is directed to provide periodic reports to the Council on the status of implementation.

The bill also requests that the Task Force continue its work through the 2007-08 Council year, and requests the incoming Council President to appoint members for the next year.

**Background Information:** The Task Force report contains 38 separate recommendations, covering areas ranging from the preservation of existing affordable housing and creation of more affordable housing through direct City efforts, to the encouragement of private affordable housing development, the commissioning of more focused studies on particular affordability issues, and procedural and regulatory improvements. Action is already underway in a number of the recommendation areas, both on the part of the City and by private and not-for-profit entities already involved in the housing industry.

**Policy Impact Area:** Affordable housing preservation and expansion

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-655

**Sponsor:** Council President at the request of the Affordable and Workforce Housing Task Force

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Ordinance Code amendment; directing funding for position in upcoming budget

**Bill Summary:** The bill amends Ordinance Code Chapter 55 – Housing and Neighborhoods Department – by adding a new Section 55.104 – Office of the Director – which creates a position of Affordable Housing Coordinator within the office of the Director of the Housing and Neighborhoods Department. The Coordinator shall: serve as the central resource for all information related to affordable and workforce housing; proactively assist developers of affordable and workforce housing in bringing their projects to completion; communicate with all relevant City departments to minimize and eliminate permitting and regulatory delays in the construction process; and provide other services and support to the cause of constructing and preserving affordable and workforce housing.

The bill also states that the Affordable Housing Coordinator is a priority item for the FY07-08 budget and requests the Mayor to create and fund such a position, which shall be housed in the Housing and Neighborhoods Department or in the successor to that entity, should the announced administrative reorganization take place.

**Background Information:** Recommendation #4 of the Task Force on Affordable and Workforce Housing is that the City should create an office in the Housing and Neighborhoods Department to be the central repository of all information on and assistance for the creation and preservation of affordable housing. The office is intended to provide technical assistance, streamlined assistance and coordination both within the City government and with outside agencies involved in affordable housing issues.

**Policy Impact Area:** Affordable housing preservation and creation

**Fiscal Impact:** Undetermined

**Analyst:** Clements

# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Ordinance 2007-656

**Sponsor:** Council President at the request of the Affordable and Workforce Housing Task Force

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Adoption of inventory of properties potentially useful for affordable housing; authorizing further administrative action to comply with requirements of state law regarding affordable housing; declaration of intent to revise Ordinance Code

**Bill Summary:** Pursuant to a new requirement of the Florida Statutes, the bill adopts an inventory listing of properties to which the City holds fee simple title that may be appropriate for use for affordable housing purposes. The bill authorizes the City administration to review and conduct any necessary and reasonable due diligence review of the listed properties to determine their feasibility for use for affordable housing, and directs the administration to report to the Council at least annually on the need for any additions to or deletions from the listing. A fully updated inventory shall be adopted every 3 years from the effective date of the ordinance.

The bill also states the Council's intent, in compliance with the requirements of state law, to consider and adopt revisions to the Ordinance Code concerning the utilization and/or disposition of the properties on the inventory for affordable housing purposes. Such revisions shall address: offering the properties for sale and using the proceeds to fund affordable housing; selling the properties with deed restrictions requiring them to be used the development of permanent affordable housing; donating the properties to a qualified non-profit affordable housing provider; or otherwise making the properties available for the preservation or production of affordable housing.

**Background Information:** The inventory contains 660 parcels determined to be potentially suitable for affordable housing purposes by a screening process which included examination of factors such as lot size, presence of utilities, existing land use, flood zone or other environmental hazards, etc. The inventory process was undertaken in compliance with Section 125.379, *Florida Statutes*, enacted by the 2006 Legislature, which requires each county to inventory all its land holdings which may be feasible for affordable housing production.

**Policy Impact Area:** Affordable housing production

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2007-657

**Sponsor:** Council President at the request of the Affordable and Workforce Housing Task Force

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Direction to implement task force study recommendations

**Bill Summary:** The bill directs the Council Auditor's Office, Office of General Counsel, and the Housing and Neighborhoods Department to jointly develop implementation strategies to implement Strategy #12 of the report of the Council's Affordable and Workforce Housing Task Force and to file a status report on the implementation with the City Council by September 1, 2007.

**Background Information:** Strategy #12 of the task force report is entitled "Eliminate Barriers to Efficiently Allocating Housing Resources and Improve Communications with the Mayor's Office and City Council." It suggests a number of potential improvements to administrative procedures, coordinating mechanisms and City Council approval processes for use of affordable housing dollars. Suggested process improvements include: credit enhancement of tax exempt bonds; de-obligation and reallocation of unused funds; refinement of the "Universal Cycle" funding application process; authorization to the Housing and Development Department to approve some funding allocations without need of City Council approval; and relaxation of the requirement that local government support loans be backed by an irrevocable, evergreen letter of credit during their entire term.

**Policy Impact Area:** Affordable housing

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-659

**Sponsor:** LUZ Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Amendment to consolidated Downtown DRI; finding of no substantial deviation

**Bill Summary:** The bill amends the Consolidated Downtown Development of Regional Impact development order to add the development of 128 marina slips to the Phase I development of the Southbank west of the Acosta Bridge on behalf of SSGP of Florida, LLC, and determines that the amendment does not constitute a substantial deviation from the existing DRI plan. The amendment provides that the authorization for any marina slips not constructed in Phase I of the DRI shall carry over to Phase II of the DRI development.

**Background Information:** The proposed South Shore Marina would be built immediately west of the Acosta Bridge and FEC Railroad bridge at the site of the proposed The St. John residential tower. The marina would consist of 3 floating concrete docks and would be able to accommodate boats up to 70 feet in length in slips, and 3 boats up to 120 feet in length at the ends of the docks. The plan on file indicates that 90 percent of the slips will be available to the public on a first come, first served basis.

**Policy Impact Area:** Downtown redevelopment; waterway access

**Fiscal Impact:** None to the City

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-660

**Sponsor:** Transportation, Energy, Utilities and Safety Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and the JTA for a project to be known as the "Kings Avenue Station" hotel and retail development.

**Background Information:** The project consists of a maximum of 120,000 square feet of hotel use and 45,000 square feet of retail space on 1.72 acres at 1201 Kings Avenue in Council District 9. The fair share assessment is \$912,997 with a 3-year term and an inflation rate of 3.3% per year. Concurrency Review estimates a total of peak hour trips being generated on deficit link in fund sector 3.3 as follows:

<u>Peak hour trips</u>	<u>Link #</u>	<u>Roads</u>
93	24	Kings Avenue, from Emerson Street to the Fuller Warren Bridge

**Policy Impact Area:** Economic development/streets and roads

**Fiscal Impact:** The fair share assessment is to the Sector 3.3 account.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-661

**Sponsor:** Land Use and Zoning Committee

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Development Agreement Approval

**Bill Summary:** This bill approves a development agreement with FRAPAG Powers Bay, LLC, relative to a development to be known as Philips Highway Commercial Center. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

**Background Information:** The 10-year agreement is for a proposed development consisting of approximately 40 acres located at 14485 and 14501 Philips Highway. Plans are for 79,360 enclosed square feet of retail shopping center use, 71,990 enclosed square feet of medical office space use, and 175,000 enclosed square feet of industrial park use on Parcel A, and 94,600 enclosed square feet of retail shopping center use and 5,400 enclosed square feet of medical office space use on Parcel B. The agreement is made subject to a performance schedule and payment of an annual renewal fee for the purpose of reserving traffic circulation capacity.

**Policy Impact Area:** Planning and Development

**Fiscal Impact:** Undetermined

**Analyst:** Campbell



# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Ordinance 2007-662

**Sponsor:** Council Member Copeland

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 656 – Zoning Code – to delete and replace Part 3, Subpart F – Planned Unit Development. The major provisions of the revision are summarized as follows:

- Pre-application conference between the Planning and Development Department and the developer is made mandatory;
- Separate application requirements for residential and non-residential PUDs;
- Expanded list of data and exhibits required to be included with the PUD application, including items such as aerial photos, wildlife and wetlands surveys, legible copies of property deeds; etc
- Mandatory public workshop in the area of the PUD before city review can commence;
- Establishment of a formal, multi-agency PUD Review Group of technical experts to review and comment on PUD applications;
- Revised timeline and process for PUD review and approval (Planning Dept. must report within 30 days of the report of the PUD Review Group, Office of General Counsel must draft PUD ordinance and submit to Council for consideration at least 14 days prior to the legislative filing deadline; PUD ordinances may only referred to the committee responsible for land use and zoning issues; PUD ordinances may not be substantively amended on the floor of the Council unless subsequently re-referred to committee);
- Dispute resolution mechanism created to resolve disagreements between council members and the Planning and Development Department over interpretations of compliance of the final PUD plans with the adopted written description and site plan, including referral of the dispute to the Planning Commission for a final ruling;
- Creation of an optional mediation process to resolve disputes between an PUD applicant and the district council member while a PUD ordinance is under Council consideration, with the Director of Planning and Development acting as the mediator and the ordinance being deferred in committee until the mediation is complete.

**Background Information:** The LUZ Committee Chair commissioned a public/private committee to review and propose improvements to the City's PUD review, approval, and subsequent verification and amendment process. This bill is a result of that committee's deliberations and suggestions.

**Policy Impact Area:** PUD zoning process

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2007-665

**Sponsor:** Council Member Johnson

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Petition to Mayor

**Bill Summary:** The bill urges the Mayor to propose a FY07-08 budget that maintains or increases funding for the Sheriff's Office and Fire and Rescue Department to maintain or improve staffing and service levels in the two departments.

**Background Information:** The on-going debate over property tax reform and local government revenue caps at the state level threatens local governments with potentially sizeable revenue cuts for the coming fiscal year. Funding for the Sheriff's Office and Fire and Rescue Department comprise over 50 percent of the City's General Fund budget.

**Policy Impact Area:** Budget priorities

**Fiscal Impact:** Undetermined

**Analyst:** Clements

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2007-666

**Sponsor:** The Council President at the request of the Jacksonville Housing Commission:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation; Approval of Positions

**Bill Summary:** This ordinance appropriates \$7,950,890.00 in state FY2007-08 State Housing Initiatives Housing Partnership ("SHIP") funds to the Jacksonville Housing Commission for authorizing and funding, pursuant to its 2007-2008 Universal Application Cycle, SHIP contracts for: (1) administration costs of the City of Jacksonville Housing and Neighborhoods Department (\$795,089); (2) the Homeowner Rehabilitation Program (\$1,900,000 to Northeast Florida Builders Association, Inc (Builders Care); \$1,543,326 to the Housing Partnership of Northeast Florida, Inc; \$500,000 to the Northeast Florida Community Action Agency, Inc; \$479,183 to the Housing and Neighborhoods Department's Housing Services Division's Limited Repair Program; and \$52,786 to the Housing and Neighborhoods Department's Housing Services Division's Utility Tap-In Program); (3) the Acquisition and Rehabilitation Program (\$1,160,500 to Habitat Resources of Duval County, Inc); (4) the construction Pool Program (\$653,300 to the Housing and Neighborhoods Department's CHDO Development Subsidy Pool); (5) the Downpayment Assistance Program (\$507,206 to Housing Partnership of Northeast Florida, Inc); (6) the Emergency Rental Assistance Program (\$100,000 to Jewish Family and Community Services, Inc.); and (7) the Homebuyer Counseling Program (\$129,500 to Family Foundations of Northeast Florida, Inc.; \$100,000 to Housing Partnership of Northeast Florida, Inc.; and \$30,000 to Jacksonville Urban League, Inc.), as initiated by B.T. 08-003. Funds will carryover through the State of Florida Fiscal Year 2008-2009. Positions as initiated by R. C. #08-001 are approved.

**Background Information:** SHIP funds are grants to local communities that enable those communities to address affordable housing needs for low and moderate income families. Local communities (counties) are required to submit a City Council-approved housing plans or strategy for use of SHIP funds.

**Policy Impact:** Housing and Neighborhoods Department/Affordable Housing

**Fiscal Impact:** This bill appropriates \$7,950,890.00 in state SHIP funds

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-667

**Sponsor:** Council President at the Request of the Mayor and by Council Members Alvarez, Clark, Corrigan, Daniels, Davis, Graham, Hyde, Jenkins, Ray, and Shad

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Expression of Support

**Bill Summary:** This bill expresses the Council's preliminary support for a Mayoral reorganization initiative, encouraging the Mayor to introduce the full reorganization as part of the budget ordinance setting forth the details of such an initiative to be publicly vetted and debated.

**NOTE:** Section 106.203, Ordinance Code, requires that the annual budget ordinance not include reorganizations, codifications, or the establishment of new fees, all of which shall be established by separate ordinance.

**Background Information:** The Governor and State Legislature have expressed a commitment to enacting legislation that will reform the property tax system and require the lowering of local government expenditures. In response, the Mayor has recognized that new efficiencies and savings can be created through a system-wide reorganization of the Executive Branch of government. The legislation states that it would be appropriate to precede a protracted legislative plan for reorganization with preliminary support of the organizational concept from the Council. The current reorganization initiative is basically described as having eight units (Finance, Public Works, Recreation and Community Services, Economic Development/Redevelopment, Public Safety, Central Operations, Strategic Planning/Compliance, and Technology) under the Mayor's Chief Administrative Officer.

**Policy Impact Area:** Executive Branch Organization; Budget and Finance

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-668

**Sponsor:** Council Member Ray:

**Date of Introduction:** May 22, 2007

**Committee(s) of Reference:** A; F; TEUS, R

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation; CIP Amendment; Ordinance Code Waiver

**Bill Summary:** This ordinance appropriates \$200,000 from the Tree Protection and Related Expenses Trust Fund for right-of-way landscaping and necessary irrigation systems as part of the Rogero Town Center Project; provides for a carryover and preservation of unused funds into future fiscal years for tree mitigation purpose and other eligible expenditures consistent with the Rogero Town Center Plan and the Tree Protection and Related Expenses Trust Fund. The bill amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, for the "Rogero Town Center Landscaping" project. The bill preserves the rights of JEA to trim planted trees; the bill provides that the Public Works Department will provide oversight; the bill waives the provisions of Chapter 656 (Zoning Code) Part 12 (Landscaping and Tree Protection), *Ordinance Code*, to allow for the planting of Sabal Palms.

**Background Information:** This bill provides funding to replace trees with necessary irrigation systems in the public right-of-way along Rogero Road, as a part of the Rogero Town Center Project. The project site is located in Council District 1. The funds will purchase approximately 112 Sabal Palms to be 12-15 feet in height, and other eligible expenditures.

**Policy Impact:** Neighborhood Improvements; Tree Protection and Related Expenses Trust Fund

**Fiscal Impact:** The bill appropriates \$200,000

**Analyst:** Jackson

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Ordinance 2007-669

**Sponsor:** Council Members Self and Ray

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 24, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$195,000 from a Tree Protection and Related Expenses Trust Fund account to provide partial funding for landscaping along Wonderwood Connector Segment I. The Mayor is requested to appoint the Dept. of Public Works to insure compliance with the agreement and other appropriate laws.

**Background Information:** The landscaping for this project is to be within the Jacksonville Transportation Authority right-of-way.

**Policy Impact Area:** Trees and Landscaping; Streets and Drainage

**Fiscal Impact:** \$195,000 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-670

**Sponsor:** Council Member Alvarez:

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 25, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$572,809 (\$286,405 from Old Kinds Road Landfill Collections and \$286,404 from Old Jones Road Landfill Collections) for Dinsmore Park improvements. The bill amends the 2006-2011 Five Year Capital Improvement Program, approved by Ordinance 2006-789-E, for the "Dinsmore Park Improvements" project. The bill designates the Parks, Recreation, Entertainment and Conservation Department to oversee the project. The funds are to carryover from Fiscal Year to Fiscal Year.

**Background Information:** The bill funds, among other items, building a t-ball field, score board, lights, remove and relocate fence, construct batting cages, and relocate sidewalks.

**Policy Impact:** Parks, Recreation, Entertainment & Conservation Department

**Fiscal Impact:** The bill appropriates \$572,809.00 in landfill mitigation funds

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2007-673

**Sponsor:** Council Member Jones

**Date of Introduction:** May 22, 2007

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

**Date of Analysis:** May 23, 2007

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Annie Mae Barlow to the Jacksonville-Duval County Council on Elder Affairs, replacing Joe Bailey, Jr. as the representative for Council District 10, for a partial term ending June 30, 2007, followed by a full two-year term ending June 30, 2009.

**Background Information:** Section 82.102, *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. Ms. Barlow is a retired daycare operator and community volunteer. She resides in the Edgewood Manor area within Council District #10.

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

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Welsh