

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2017-370

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 23, 2017

Committee(s) of Reference: F; PHS

Date of Analysis: May 26, 2017

Type of Action: Ordinance Code Amendment Schedule Approval

Bill Summary: The ordinance amends Chapter 124 (Public Records), Part 1 (Distribution and Sale of Documents), Section 124.103 (Fee Schedule for Medical Examiner Services and Records), *Ordinance Code*, to update the fees schedule for services supplied by the Medical Examiner; the ordinance approves the Medical Examiner Fees schedule and directs City Council Legislative Services Division to place the approved Fees schedule on file.

Background Information: The update of the fees schedule for fiscal year 2018 will allow the City to collect revenues from clients and participating counties in District III and IV which more accurately reflect the unit costs to provide services. With the exceptions of transportation costs, non –Medical Examiner cases, blood spot card (DNA) requests, and the reproduction of materials to a compact disc (CD) requests, all other fees approved by Ordinance 2015-405-E remain the same. Fees for depositions and testimonies will be applied to criminal as well as civil cases. Fees for professional review, observation or consultation at a rate of \$250 per hour and for specimen storage at a rate of \$158 per month have been added to the fees schedule. Combined with the increased rate in the aforesaid mentioned areas and the addition of the two services, fiscal year 2017 data yields a projected increase in revenue for fiscal year 2018 of \$84,650.00.

Policy Impact: Medical Examiner's Office/Ordinance Code

Fiscal Impact: Projected increased revenue of \$84,650.00 in FY 2018.

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-0371

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, F

Date of Analysis: May 22, 2017

Type of Action: Appropriation and CIP Amendment

Bill Summary: This bill is an appropriation of a total of \$2,062,000 in the FY2016 CIP that used settlement agreement funding from the Cedar Bay Company Generating Station for the 9A Baymeadows Park Project. This legislation will appropriate the funding from the Cedar Bay settlement to Betz – Tiger Point and appropriate residual funding to 9A Baymeadows Park. The 2017-2021 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is amended to make corrections for the projects entitled 9A Baymeadows – Regional Park Amenities and Betz Tiger point – Phase 1 Masterplan.

Background Information: The \$2,062,000 in funding above comprises a transfer of \$1,062,000 (\$1,000,000 from the 9A Baymeadows Park Project and \$62,000 from the Cedar Bay Company generating station legal settlement) to the Betz – Tiger Point – Phase I Master Plan Project. It is also an appropriation of \$1,000,000 (\$900,000 from completed capital projects that have been certified as complete by the Director of Public Works and returned to their respective sources of origin and \$100,000 from the North Care Clinic Project, which will not be completed) to replenish the \$1,000,000 in funding taken from the 9A Baymeadows Park Project. The CIP must be amended at this time because the deferral of this amendment of the CIP until the next annual budget and CIP review will be detrimental to the best interests of the community because such deferral impacts a legal settlement agreement and the use of funding provided by it as well as stall two recreational projects, which are beneficial to the community.

Policy Impact Area: Park Project funding

Fiscal Impact: Appropriation of \$2,062,000 as initiated by BT 17-103

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-372

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 23, 2017

Committee(s) of Reference: F

Date of Analysis: May 26, 2017

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$207,500.00 from the Contingency for Collective Bargaining account to provide funding for the Fiscal Year 2017 one-time lump sum payment to full-time employees of the Jacksonville Housing Authority, as initiated by B.T. 17-104.

Background Information: The appropriation transfers funds from the Contingency for Collective Bargaining account into a non-departmental line item for the Jacksonville Housing Authority. Since the funding is in a contingency within the general fund – GSD, pursuant to Section 106.215(b), *Ordinance Code*, approval of this legislation requires a two-thirds vote of the Council Members present for passage.

Policy Impact: Finance and Administration/Jacksonville Housing Authority

Fiscal Impact: The ordinance appropriates \$207,500.00

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-0373

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, F

Date of Analysis: May 23, 2017

Type of Action: Appropriation and CIP Amendment

Bill Summary: The bill transfers \$453,871 in the FY 2016-17 budget to recapture amounts for Hanna Park and Huguenot Park to the capital project subfund to fund capital projects at the two parks. The 2017-2021 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is amended to provide funding for the projects entitled Hanna Park 5 – Pelican Plaza Redevelopment and Huguenot Park Campground and Other Amenities.

Background Information: The purpose of this legislation is to provide funding for capital projects at Hanna Park and Huguenot Park. This funding will move the Pelican Plaza Redevelopment Project from FY 2019 to FY 2017 and add funding in FY 2017 for engineering and design for the Huguenot Park campground. Pelican Plaza is a beach access and picnicking area which is underutilized due to current facility conditions and has not received capital improvements in many years. In Huguenot Park, the camping area is badly in need of renovations in order to be operational for campers. The deferral of this amendment of the CIP until the next annual budget and CIP review would be detrimental to the best interests of the community because it would stall these projects which are beneficial to the community.

Policy Impact Area: Park capital project funding

Fiscal Impact: \$453,871 as initiated by BT 17-105

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-374

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS; F

Date of Analysis: May 26, 2017

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$35,000.00 (\$25,000.00 from a special council contingency reserve account for swimming lessons and an appropriation of a reimbursement grant of \$10,000.00 from Safe Kids Northeast Florida) to provide funding for a swimming lessons initiative, as initiated by B.T. 17-106.

Background Information: The fiscal year 2017 budget ordinance placed \$25,000.00 in the special council contingency reserve account for swimming lessons pending receipt of matching funds. The charge from the City Council was for the Department of Parks, Recreation and Community Services to raise matching funds. These matching funds have been raised through two sources. The City has been awarded a \$10,000.00 donation from Safe Kids Northeast Florida, led by THE PLAYERS Center for Child Health Wolfson's Children's Hospital, a reimbursement grant to be paid to the City upon completion of swimming lessons and presentation of invoices. In addition, the City has partnered with the YMCA to develop a swimming initiative, which will be funded by the YMCA through a grant from Firehouse Subs. The grant will provide safety training equipment. The funds from Firehouse Subs will not be deposited with the City but will be received by the YMCA, which has partnered with the City to provide swimming lessons, many of which will be conducted at City pools.

Policy Impact: Parks, Recreation & Community Services Department

Fiscal Impact: The ordinance appropriates \$35,000.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-375

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: F

Date of Analysis: May 25, 2017

Type of Action: Extension of public facilities management contract; designation of oversight agency

Bill Summary: The bill authorizes the administration to terminate the City’s current public facilities management contract with SMG and to execute a new agreement for venue management for a period of 5 years from April 2017 through March 2022, with two additional 1-year renewal options at the City’s discretion. The Office of Sports and Entertainment is designated as the City’s oversight agency for the contract.

Background Information: SMG has managed the City’s public assembly facilities since the early 1990s on a succession of contracts and renewal options. In March of 2012 the City issued an RFP seeking qualified companies and SMG was awarded the current contract in 2013 extending through February 2018. The City and SMG have negotiated several revisions to the current agreement and desire to enter into a revised 5-year contract reflecting those new terms. The Jacksonville Jaguars, who have approval rights over the management of EverBank Field, approve of the SMG extension.

Proposed Contract Renewal Criteria

Current Criteria	Proposed Effective April 1, 2017
1. Annual plan regarding proposed methods to reduce the operating deficit by increasing revenues.	Remains.
2. Attract new events for each of the facilities.	Revised
3. Attract a “new” major college football game at EverBank Field.	Removed
4. Secure a naming rights partner at the Baseball Grounds of Jacksonville.	Removed
5. The level of ticket sales for events at Jacksonville Veterans Memorial Arena.	Remains
6. The amount of sponsorship packages at COJ facilities.	Removed
7. Continue to identify and recommend technology upgrades at all facilities that generate additional revenue.	Remains
New Criteria	
1. Lowering the average annual subsidy for the initial 5-year term such that the average for each year over the 5-year term shall be less than the actual subsidy for fiscal year 2016/17.	The City will include language in the long-form agreement which contemplates below-the-line exceptions due to market factors or extenuating circumstances beyond SMG’s control. The City reserves the right to approve these exceptions.

2. Maintenance and cleanliness of all facilities.	
3. Efficacy of parking management in the Sports and Entertainment complex.	
4. Expeditious performance of capital maintenance, repairs and improvements when funds therefore are allocated by the City.	

Proposed Performance Evaluation Criteria

Current Criteria	Proposed Effective April 1, 2017
1. Customer satisfaction at all facilities	Revised: Customer satisfaction at all facilities organized in two categories. A. Guests: a minimum sample size of mutually agreed to total guests to be surveyed and scored via a “secret shopper” program. B. Each primary tenant and a minimum of mutually agreed to clients to be surveyed and scored. All surveys must be approved in advance by the City. SMG and the City will collaborate on the development of the surveys.
2. Cooperative marketing with prime tenant, sports teams and management.	Remains
3. Achievement of annual Jacksonville Small and Emerging Business (JSEB) goals; 25%.	Remains
4. Ancillary financial results	Revised: An annual minimum of 7% above the budget projections in combined sponsorship, advertising and ticket incentive fee revenues.
5. Efficacy of facilities maintenance and repairs	Remains

Financial Terms

The facility management fixed fee and incentive fees remain unchanged from the current contract. The City agrees to a variable concession services fee based on 5.5% of annual gross food and beverage revenue, not to exceed \$500,000 annually, and the elimination of the Concession Services Fixed Fee. SMG shall contribute from its own funds an additional \$250,000 into the Event Development Fund. SMG, from its own funds, shall provide a financial contribution of \$100,000 to upgrade the food services equipment and operations at the Prime Osborn Convention Center, Times-Union Center for the Performing Arts, Jacksonville Veterans Memorial Arena, and the Ritz Theatre & Museum. The existing amortization of funds under the current agreement, estimated to be \$707,500 as of April 1, 2017, and the \$250,000 Event Development Funds contribution under the new agreement, and the \$100,000 Food Services Contribution under the new agreement, shall be amortized on a straight-line, non-interest bearing basis for a five (5) year amortization period. The threshold to perform capital improvements utilizing SMG’s own procurement policies shall be increased from \$100,000 to \$250,000. The threshold for extraordinary repairs will remain the same.

Policy Impact Area: Public venue operations

Fiscal Impact: See Financial Terms above.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-0376

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: TEU, F

Date of Analysis: May 23, 2017

Type of Action: Agreement approval

Bill Summary: This bill approves the agreement for the Perpetual Access and Use Easement from The Nemours Foundation to the City. The Easement agreement allows for the use of the Easement Parcel (located on the Southbank) as an extension of the bike and walking path for public ingress and egress and for the construction, reconstruction, removal, repair, and maintenance of improvements constructed or placed on the Easement Parcel.

Background Information: The Nemours Foundation grants to the City a perpetual easement in, over, under, upon and through the property located in Council District 5 and more. This easement is needed for the construction of a Shared Use Path over the St. Johns River, which will accommodate pedestrian and bicycle traffic. The path will run from May Street, over the river to and along the river front at Nemours Children's Hospital campus. This easement is located along the river and also running east-west on the Nemours property, to Le Baron Avenue.

Policy Impact Area: Easement for shared bicycle path

Fiscal Impact: No immediate financial impact. However, there may be future maintenance costs.

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-377

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS; F

Date of Analysis: May 26, 2017

Type of Action: Agreement Authorization/Approval; Conveyance; Ordinance Code Waiver

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute the Purchase and Sale Agreement between the City of Jacksonville (“City”) and Adeeb Properties, LLC, the related Subordination Agreement, and all deeds and closing documents and otherwise take all necessary action to effectuate the purpose of the Purchase and Sale Agreement, the conveyance to Adeeb Properties, LLC of property located in the historic Springfield neighborhood of Jacksonville at 1850 North Main Street (the “property”) for the operation of a restaurant and a micro-brewery; it waives the provisions of Section 122.422 (Sale of Property Through Real Estate Division); Investigation of Need; Council Action) of Chapter 122 (Public Property), *Ordinance Code*, so as to allow for the conveyance of the property to Adeeb Properties, LLC; it provides for City oversight by the Office of Economic Development.

Background Information: The City is the owner of property located in the historic Springfield neighborhood at 1850 North Main Street, R.E. # 071810-0000, consisting of approximately 15,049 square feet of land with a 7,756 square foot restaurant building, patio area, loading area, and parking area. The City issued a Request for Proposals (RFP) seeking interested developers who would purchase and develop the property. Adeeb Properties, LLC was the sole respondent to the RFP. Adeeb Properties, LLC desires to purchase the property in order to develop the property and operate a restaurant and micro-brewery. In order to acquire the property, Adeeb Properties, LLC has proposed to: pay a purchase price of \$1,000.00 for the property; pay all back taxes at the time of closing, estimated at approximately \$90,000; and pay all closing costs and fees and construction costs estimated at \$301,600.00. It is estimated that when the project is completed the value of the completed building and open space will be \$500,000.00 and generate property taxes of \$9,282.00 in the first year; sales of \$125,000.00 per month for the restaurant that translates into approximately \$100,000.00 per year in sales tax revenue; and sales of \$50,000.00 per month for the micro-brewery will yield approximately \$40,000.00 per year in sales tax revenue. The property has been identified as needing environmental remediation and Adeeb Properties, LLC has budgeted \$100,000.00 for the environmental clean-up. Supporting this project will redevelop a vacant building and property in the historic Springfield neighborhood. It will eliminate blight conditions in the area, remediate adverse environmental conditions and provide a service to residents in the community. Residents will have an opportunity to apply for these jobs.

Policy Impact: Economic Development/Office of Economic Development

Fiscal Impact: The project would put a vacant building and property back on the tax rolls and would generate property and sales taxes for the City. The positive economic impact on the Springfield neighborhood would be considerable.

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-0378

Introducer/Sponsor(s): Introduced at the request of Council Member Schellenberg

Date of Introduction: May 23, 2017

Committee(s) of Reference: R, F

Date of Analysis: May 23, 2017

Type of Action: City Charter Amendment (subject to public referendum)

Bill Summary: This bill, subject to public referendum, will amend the City Charter to repeal the two term limit provisions in Sections 5.041, 8.04, 9.04, 10.04, 11.04, 12.11, and 13.15. This legislation also requires that a financial impact statement and the term limit referendum question be included on the ballot in the August 28, 2018 Primary Election.

Background Information: Under the current terms of the City Charter, Constitutional Officers (City Council Members, the Sheriff, the Supervisor of Elections, the Property Appraiser, the Tax Collector, the Clerk of Courts and the Duval County School Board) are limited to two terms in office. By the majority of votes in the public referendum, the term limit provisions applicable to Constitutional Officers presently in the Charter shall be either repealed or retained.

If this bill is approved, the Supervisor of Elections will notify the Mayor, City Council President, General Counsel and Council Auditor to prepare a financial impact statement (up to 75 words) within thirty days to estimate the cost to the City as a result of the amendment. A committee will be formed with appointed representatives from the offices of the Mayor, City Council President, General Counsel and Council Auditor charged with estimating the financial impact. The Council Auditor will chair the committee. The Supervisor of Elections will, at least thirty days prior to the referendum, publish public notices two times. The Supervisor of Elections for Duval County, Florida shall certify the results of the referendum to the Florida Department of State in accordance with law.

The ballot title for the referendum question will be: *"Referendum Amending Charter, Repealing Term Limits for City Officers and School Board Members, Except the Mayor"*.

The City Charter term limit amendment referendum question on the ballot will be: *"Shall Ordinance 2017-378-E, which repeals and nullifies the two term limit provisions related to City Officials found in the Charter in Sections 5.041 (City Council), 8.04 (Sheriff); 9.04 (Supervisor of Elections); 10.04 (Property Appraiser); 11.04 (Tax Collector); 12.11 (Clerk of the Court); and 13.15 (School Board Members) become effective?"*

YES.

NO.

Policy Impact Area: Constitutional Officer Term limits

Fiscal Impact: To be determined by a financial impact statement if amendment is approved

Analyst: Hampsey

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Bill Type and Number: Ordinance 2017-384

Introducer/Sponsor(s): Rules Committee

Date of Introduction: May 23, 2017

Committee(s) of Reference: R

Date of Analysis: May 19, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 51 – Jacksonville Children’s Commission – to clarify the status of liaisons to the board. Currently, a liaison to the JCC is classified as a non-voting member. The amendment, which repeals and replaces Section 51.103, *Ordinance Code*, clarifies for Sunshine Law purposes a liaison is a non-voting position and is not considered a member of the board.

Background Information: The impetus for this bill began with the appearance of the Jacksonville Children’s Commission before the Rules Committee during one of its special meetings to review boards and commissions. During the review it was brought to the attention of the committee that there is some discrepancy surrounding the interpretation of liaisons to the JCC. In Section 51.103, *Ordinance Code*, a liaison was described as a non-voting member. This created confusion regarding whether or not a liaison was subject to the provisions of Sunshine Law. The committee agreed it was necessary to clarify that liaisons are not members of the board for sunshine purposes. The amendment as such removes the ambiguity surrounding interpretation of the status of liaisons.

Policy Impact Area: Jacksonville Children’s Commission operations

Fiscal Impact: None

Analyst: Shoup

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Bill Type and Number: Ordinance 2017-385

Introducer/Sponsor(s): Rules Committee

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, R

Date of Analysis: May 19, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 60 – Jacksonville Human Rights Commission – to decrease the number of commissioners from 20 to 11. The current term end dates and membership requirements will remain unchanged. The updated membership will consist of only those members with time remaining on their terms and who are eligible for reappointment.

Background Information: The impetus for this bill began with the appearance by the Jacksonville Human Rights Commission before the Rules Committee during one of its special meetings to review boards and commissions. While reviewing the number of members on the commission, it was suggested that the commission could function better with a smaller number of commissioners. The reason for the suggestion was a reduced membership is easier to manage and achieve a quorum for regularly scheduled meetings. The Executive Director and Chair for the JHRC were in support of the proposed change and said there was no opposition among the rest of the commissioners at their last meeting at which time the proposal of reduced membership was introduced.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: None

Analyst: Shoup

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Bill Type and Number: Ordinance 2017-386

Introducer/Sponsor(s): Rules Committee

Date of Introduction: May 23, 2017

Committee(s) of Reference: R

Date of Analysis: May 19, 2017

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 90 –Board of Library Trustees – to clarify the status of liaisons to the board. Currently, a liaison to the board is classified as a non-voting member. The amendment, which repeals and replaces Section 90.101, *Ordinance Code*, clarifies for Sunshine Law purposes a liaison is a non-voting position and is not considered a member of the board.

Background Information: The impetus for this bill began with the appearance of the Board of Library Trustees before the Rules Committee during one of its special meetings to review boards and commissions. During the review it was brought to the attention of the committee that there is some discrepancy surrounding the interpretation of liaisons to the Library Board. In Section 90.101, *Ordinance Code*, a liaison was described as a non-voting member. This created confusion regarding whether or not a liaison was subject to the provisions of Sunshine Law. The committee agreed it was necessary to clarify that liaisons are not members of the board for sunshine purposes. The amendment as such removes the ambiguity surrounding interpretation of the status of liaisons.

Policy Impact Area: Board of Library Trustees operations

Fiscal Impact: None

Analyst: Shoup

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Bill Type and Number: Ordinance 2017-387

Sponsor: Council Member Carter:

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS; R; F

Date of Analysis: May 26, 2017

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$99,000.00 from the Old Kings Road Landfill Mitigation Fund to provide the Marietta Athletic Association with funds to construct a restroom/concession/storage facility and for sewer connection costs for same at Thomas Jefferson Park; it provides oversight by the Parks, Recreation and Community Services Department and disbursement of funds upon invoices and accounting/reverter of any unspent funds; it invokes the exception of 126.107(G) (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, for the processional services of Holton Construction, Inc.

Background Information: The purpose of this appropriation is to provide funding from the Old Kings Road Landfill Mitigation Account to the Marietta Athletic Association for the construction of a restroom/concession/storage pavilion building at Thomas Jefferson Park with connection to existing sewer connections. The association is located on Bullsbay Highway in Council District 12. The Sec. 126.107(G) exemption permits the contract for the project to be awarded without a competitive procurement process if specifically granted by Council or the project authorizing legislation.

Policy Impact: Parks & Recreation

Fiscal Impact: The ordinance appropriates \$99,000.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2017-388

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: F

Date of Analysis: May 25, 2017

Type of Action: Authorization of economic development agreement; commitment to QTI match; designation of oversight agency

Bill Summary: The bill authorizes execution of an economic development agreement between the City and Macquarie Holdings USA Inc. and Macquarie Global Services LLC and commits the City to making a Qualified Targeted Industry matching payment of up to \$50,000 in support of Macquarie's expansion of its Jacksonville operations, the retention of 123 existing full-time jobs and the creation of 50 new full-time jobs with an average annual salary of \$55,720, and a private capital investment of \$1.7 million. The Office of Economic Development is designated as the City's oversight agency for the project.

Background Information: Macquarie is a global banking and financial services company that employs 102 people in Jacksonville in a finance and accounting services facility that opened here in 2015, and is on track to reach its job creation target for that project of 123 jobs by December 2017. The company proposes to locate its Corporate Operations Group (providing human resource and business services to support their global operations) to Riverplace Tower in downtown Jacksonville, adding 50 new full-time jobs at an average wage of \$56,160 by the end of 2017. It will also make a \$1.7 million capital investment in technology equipment, furniture and tenant improvements. This bill commits the City to a QTI local match of up to \$50,000 (\$1,000 per job) to match the state's QTI commitment of \$200,000 (\$4,000 per job). Macquarie is also considering a location in Gurugram, India, the financial and technology hub of northern India.

Policy Impact Area: Economic development

Fiscal Impact: This bill commits the City to a QTI local match of up to \$50,000 (\$1,000 per job), payable over 4 years from 2019 through 2022.

Analyst: Clements

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Bill Type and Number: Ordinance 2017-392

Introducer/Sponsor(s): Land Use and Zoning Committee

Date of Introduction: May 23, 2017

Committee(s) of Reference: LUZ

Date of Analysis: May 23, 2017

Type of Action: Approval of LUZ recommendation of an administrative deviation

Bill Summary: This bill approves the Land Use and Zoning Committee's decision to grant the administrative deviation AD-17-28 to reduce the required minimum lot area from 43,560 square feet (1 acre) to 23,914 square feet (0.549 of an acre), in Zoning District RR-Acre, at 7227 Exline Road between Hipps Road and Taylor Field Road (R.E. NO. 016209-0020), at Council District 12.

Background Information: Danielle and Mark Spruell own the property and want to build a home on the lot. Although the property is less than the minimum one-acre requirement, it exceeds the minimum width requirements of 100 feet. The proposed building will have adequate yard space meeting the minimum yard requirements and will not exceed the maximum lot coverage of 25 percent. No structures will exceed the maximum height of 35 feet. Additionally, the property has an accessible easement for emergency vehicles to obtain access.

Policy Impact Area: Zoning Code administrative deviation

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-393

Introducer/Sponsor(s): Council Member Gulliford

Date of Introduction: May 23, 2017

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

Date of Analysis: May 23, 2017

Type of Action: Appropriation

Bill Summary: This bill appropriates \$60,000 from the Special Council Contingency to the Jacksonville Children's Commission, to fund the I'm A Star Program at certain middle and high schools located in the Beaches communities and Westside areas; authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver, for and on behalf of the City, a services contract between I'm A Star Foundation, Inc.; invokes the exception of 126.107(G) (Exemptions), Part 1 (General Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, for direct contract for the I'm A Star Program services with I'm A Star Foundation, Inc.; and provides for oversight by the Jacksonville Children's Commission.

Background Information: I'm A Star Foundation is a not for profit organization established in 2010 as an outlet for students (ages 12-18) to develop solutions to help their peers overcome negative statistics. STAR is an acronym which stands for "Smart, Talented and Resilient." I'm A Star Foundation trains teens to embrace the notion that the essence of leadership is service. Students engage in service learning projects focused on improving childhood obesity, teenage suicide, health and nutrition, homelessness and other barriers to success.

In a recent Youth Risk Behavior Survey (YRBS) conducted by the Center for Disease Control, data showed that middle and high schools students in the beaches communities and the City's Westside area have high incidents of bullying and consumption of alcohol and tobacco. Through the services agreement, I'm A Star Foundation will implement a pilot program at:

Beaches

Fletcher Middle School
Fletcher High School
Mayport Middle School

Westside Area

Westside Middle School
Joseph Stillwell Middle School
Jeff Davis Middle School

Policy Impact Area: Jacksonville Children's Commission

Fiscal Impact: The appropriation of \$60,000.00 to be split evenly between the two areas.

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-394

Introducer/Sponsor(s): Council Member Carter and Love

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, PHS, F

Date of Analysis: May 23, 2017

Type of Action: Approval of a lease agreement

Bill Summary: This bill approves and authorizes the Mayor or Corporation Secretary to execute and deliver a certain lease agreement between the City of Jacksonville and Cecil Field POW/MIA Memorial, Inc. for property located at 6112 New World Avenue, in Council District 12; and provides for City oversight by the Office of Economic Development.

Background Information: Field operations began at Cecil Field in December 1941. Additionally, in 1952 Cecil Field was designated as a Navy auxiliary air station, the south's first master jet base. Airmen trained at NAS Cecil Field were sent to Korea, Vietnam, the Pacific Rim and Desert Storm. In 1974, Families of Prisoners of War (POW) and Missing in Action (MIA) dedicated the POW/MIA Memorial to honor those lost to war and ensure they were never forgotten. The site consists of markers and associated planted trees for each of the 16 POW/MIA pilots, a pavilion, a stage area, starburst (metal display of aircraft), and a granite base seal of NAS Cecil Field. Although NAS Cecil Field was decommissioned in 1999, it is a civilian, public-use, joint civil-military airfield and industrial park known as Cecil Commerce Center and Cecil Airport, and remains the home of the POW/MIA Memorial.

The lease includes the existing memorial areas, chapel, and theatre so that the POW/MIA Memorial can be renovated and maintained. The length of the contract is for five (5) years with one twenty (20) year renewal option. POW/MIA Memorial will pay an annual lease fee of \$1.00 for the first five years. After that, POW/MIA Memorial will pay \$2,400.00 per year for common area maintenance costs.

Policy Impact Area: Office of Economic Development, Public Works Department

Fiscal Impact: The annual lease fee of \$1.00 for the first five years. After that, \$2,400 per year for common area maintenance costs.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2017-395

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, LUZ, F

Date of Analysis: May 25, 2017

Type of Action: Approving legal settlement

Bill Summary: The bill approves a settlement of claims arising from the case of *The Public Trust Environmental Legal Institute of Florida, Inc., Lee Hunter, Tom Larson & Thera James v. the City of Jacksonville*, which settlement involves: committing to consideration of the establishment of a City Tree Commission; the funding and hiring of positions of City Arborist and Urban Forest Manager; an update of the City's Building Inspection Division software and creation of a database to track contributions to the Tree Fund; development of a tree planting website portal; amendment of the Ordinance Code to update the basis on which per-inch tree mitigation is calculated and to increase penalties for failing to obtain a tree clearing permit or for removing trees in excess of a permitted amount; and creation and regular update of a City webpage to track balances in the Tree Protection and Related Expenses Trust Fund.

Background Information: The Public Trust Environmental Legal Institute of Florida, Inc. (Public Trust) and three City residents filed suit against the City alleging that the City was using funds generated from tree mitigation payments collected pursuant to activities regulated by Article 25 of the City Charter in a manner not consistent with the intent of the Charter amendment. To end the litigation the parties have negotiated a mutually agreeable settlement presented here for the City Council's approval.

Pursuant to the settlement agreement the General Counsel is required, within 30 days of the effective date of this ordinance, to introduce to the Council an ordinance that would create a new Ordinance Code Chapter 54 – Tree Commission – composed of 7 members (one City Council member, the Director of Public Works or his designee, three citizens appointed by the Council and 2 citizens appointed by the Mayor). The Commission's purpose would be to study and make recommendations about the planting of trees and the health of the City's tree canopy, to formulate a tree planting plan, to act as a motivating and coordinating body to encourage public and private participation in tree planting, and to make recommendations concerning the City's tree protection and landscape regulations. The settlement agreement also requires the City to create and fund the positions of City Arborist and Urban Forest Manager (the City Arborist position to be funded by the proceeds of the Tree Fund) to plan, organize and direct urban forestry activities citywide relating to tree planting and management.

The settlement requires the General Counsel, within 30 days of the effective date of this ordinance, to introduce to the Council an ordinance that would amend the Zoning Code in the Landscape and Tree Protection Regulations to: delete the provision that the Chief of Building Inspection may promulgate rules and regulations for the enforcement of tree protection regulations and establish a process whereby development may proceed prior to landscape plan approval through the use of an irrevocable, evergreen letter of credit; to limit the Chief's ability to approve waivers of the tree replacement requirements to certain defined instances relating to dead, diseased or dying trees or trees whose roots are causing severe damage to an adjacent structure. More specificity is added

regarding mitigation for loss of exceptional specimen trees. Language is added to define the term “violator” of the tree protection regulations to include the property owner, permit holder and contractor, and to require that violations shall be corrected within 90 days of the date of the Notice of Violation unless extended by the Chief for good cause. The penalty for removing trees without a permit is increased to replacement by the property owner of twice the caliper inches (instead of the same number of caliper inches) of trees required to be planted or payment of twice the calculated required mitigation fee for a first offense, and triple the amount for each subsequent offense. Removal of more caliper inches of trees than allowed by an issued permit shall be subject to a payment of triple the calculated amount due for the caliper inches that were not permitted. Fines payable for removing trees in excess of permitted amounts shall be paid into the Tree Fund.

The Chief shall provide each violator with information regarding the amount of acres presumed to be impacted by the unpermitted site clearing, the total fine assessed and any other information used to calculate the fine amount. The appeal mechanism places the burden of proof on the property owner to prove that the proposed fine should be reduced and establishes time frames for the appeals processes. Appeal of the Final Assessment of Fine shall be to the Planning Commission. The amendment also provides for civil penalties to be levied on contractors responsible for the improper site clearing (\$1,000 for a first offense, \$2,000 for a second offense, \$3,000 for every subsequent violation) in addition to the property owner’s penalty. Fines assessed under the penalty subsection shall be deposited into the Tree Fund, except that the Building and Inspection Division shall receive up to \$1,000 per acre for enforcement of the subsection. No work shall continue on the site until the tree replanting plan has been approved or the contribution or fine has been collected.

Policy Impact Area: Tree protection and mitigation

Fiscal Impact: Undetermined

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-396

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: NCIS, LUZ, F

Date of Analysis: May 23, 2017

Type of Action: Amend Chapter 656 (Zoning Code), Part 12, *Ordinance Code*

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 12 (Landscape and Tree Protection Regulations), Subpart B (Tree Protection), Sections 656.1206 (Permit procedure and criteria for tree removal, relocation and replacement of protected trees); and amends 656.1208 (Enforcement; violations and penalties; stopping work, correction of violation) to amend the enforcement process for violations.

Background Information: The Public Trust Environment Legal Institute, et al. filed an action suit (Case No. 2015-CA-4453) against the City in 2015 regarding the utilization of tree mitigation funds paid by property owners seeking to cut down trees protected by Article 25 of the Charter. The modification is a response to the settlement agreement in litigation. Additionally, the amendment enhances the mitigation and penalty requirements for violators of the tree protection laws as follows:

- removes provision allowing Chief to promulgate rules and regulations to allow construction before final landscape plan is approved
- provides waiver of replacement requirement for removal of dead, dying or diseased trees or tree damaging structures
- specifies requirement for replacing specimen trees
- provides for violation enforcement against property owner, permit holder, and contractor
- provides enhanced fines for tree removal without permit
- provides for civil fines and an appeal process

Policy Impact Area: Zoning Code, Municipal Code Compliance, Public Works Department

Fiscal Impact: None

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-0397

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: R, LUZ, NCIS

Date of Analysis: May 23, 2017

Type of Action: Ordinance establishing a commission

Bill Summary: This bill will establish an advisory commission to be known as the Tree Commission in order to promote and support efforts to conserve and enhance Jacksonville's tree canopy and create a new Chapter 54 (Tree Commission), *Ordinance Code*.

Background Information: Trees improve water quality, reduce erosion, increase property values, provide shade, cleanse the air, create habitat for wildlife and add beauty to our City. This legislation will create an advisory body to encourage and coordinate the efforts of the various public and private entities that are concerned with the conservation and enhancement of the City's Tree Canopy.

If possible, commission members should include one member from each of the Council's At-Large residency areas, one a landscape architect, one member of an environmental organization, one residential builder, a representative from the local builders association, a real estate professional, commercial developer, or industrial developer, one practicing attorney or urban planner, and one botanist, certified arborist, forester, or horticulturist. The Commission will be staffed at each meeting by a representative of the Office of General Counsel, the City's Senior Urban Forester and a member of the Accounting office. The Director of Public Works shall designate a Public Works employee as the staff person who shall be responsible for all meeting notices and minutes. The Vice Chair shall preside if the Chair is absent. The Commission shall elect from among its members a Chair and Vice Chair. The Chair shall preside at all meetings of the Commission and shall appoint the members of the various committees, task forces, study groups

The Tree Commission will:

- be subject to all applicable public meetings and public records laws
- be comprised of seven members who possess specialized knowledge about trees (one member of the Council designated by the Council President, the Director of the Public Works Department, or his or her designee, three members of the general public appointed by the Council and two members of the general public appointed by the Mayor and confirmed by Council)
- meet at least monthly at such times and places as are fixed by the rules of the Commission
- establish such committees from among its membership as it deems necessary to perform its functions
- study and make recommendations to the City Council, Mayor's Office, City Staff, and community stakeholders with respect to the planting of trees and the health of the City's tree canopy
- formulate an overall plan for the planting of trees and the health of the City's tree canopy
- act as a coordinator for programs, projects, and activities related to planting projects and the health of the tree canopy
- review expenditure proposals and plans for planting projects

- formulate a recommended priority project list
- assist in the establishment of educational and outreach programs and conduct research studies, collect and analyze relevant data
- perform an annual audit of funded projects
- develop and maintain a tree canopy and existing tree inventory

Policy Impact Area: Designation of a new commission dedicated to the preservation and enhancement of the City's trees and tree canopy

Fiscal Impact: No direct cost to the City

Analyst: Hampsey

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-0398

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: LUZ, F

Date of Analysis: May 23, 2017

Type of Action: Ordinance amendment and authorization of new City position

Bill Summary: This bill amends Section 111.760 (Tree Protection and Related Expenses Trust Fund), Chapter 111 (Special Revenue and Trust Accounts), *Ordinance Code* to permit the use of funds from the Tree Protection and Related Expenses Trust Fund to provide salary and benefits for a City Arborist position. The Director of Finance and Administration is authorized and directed to make disbursements from this fund, after Council appropriation, upon written requisition for such purposes signed jointly by the Director of Public Works and the Director of Recreation and Parks.

Background Information: Within the General Trust and Agency Fund is an account called the Tree Protection and Related Expenses Trust Fund. The funds deposited in this trust fund, together with any interest accrued thereon, shall be expended for providing trees and incidental landscaping, and maintaining trees, within City rights-of-way and on other lands owned by the City, its agencies or authorities. The funds deposited in this trust fund may also be used to pay the salary and benefits of one City Arborist position. The City Arborist position authorized herein shall be exclusively focused on the planting of trees and other activities directly supporting planting projects in the City which utilize monies from this trust fund. The creation and filling of the City Arborist position is one of the terms of the legal settlement agreement approved in Ordinance 2017-0395.

Policy Impact Area: Designation for funding salary and benefits for a City Arborist position

Fiscal Impact: No new costs to the City

Analyst: Hampsey

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2017-399

Introducer/Sponsor(s): Council President Boyer

Date of Introduction: May 23, 2017

Committee(s) of Reference: LUZ

Date of Analysis: May 23, 2017

Type of Action: Amend Chapter 656 (Zoning Code), Part III, *Ordinance Code*

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part III (Schedule of District Regulations), Subpart H (Downtown Overlay Zone and Downtown District Regulations), Section 656.361.5 (Downtown Overlay Zone Permitted and Permissible Uses by Exception); and amends Chapter 656 (Zoning Code), *Ordinance Code*, Part III (Schedule of District Regulations), Subpart H (Downtown Overlay Zone and Downtown District Regulations), Section 656.361.6 (Downtown Overlay Additional Permitted Uses by Districts).

Background Information: Section 656.361.5 will allow the production of alcohol for on-site consumption where production does not exceed 10,000 barrels per year, and off-site sales do not exceed 75% of production as a permissible use by exception. Section 656.361.6 will allow outside sale and service in conformance with Part 4 of the Zoning Code as an additional permitted use in all Downtown Overlay Districts except for the Church District.

Policy Impact Area: Zoning Code, Municipal Code Compliance, Downtown Overlay Zone

Fiscal Impact: None

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-0400

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: PHS, F

Date of Analysis: May 23, 2017

Type of Action: Appropriation, Interlocal Agreement authorization, CIP amendment and designation of oversight agency

Bill Summary: This bill is an appropriation of \$3,781,513 to the "Fire Station 73" project, \$1,631,513 from a Jacksonville Aviation Authority (JAA) and Florida Department of Transportation (FDOT) grant and a transfer of \$2,150,000 of the City funding appropriated in the CIP. This legislation also authorizes an Interlocal Agreement between the City and JAA for the lease construction and rehabilitation of Cecil Airport Fire Stations, and operating and lease agreements for Fire Stations 56 and 73. The 2017-2021 Five-Year Capital Improvement Plan will be amended to increase funding for the Fire Station 56 renovation project and Fire Station 73 project. The Department of Public Works will provide oversight.

Background Information: The purpose of the appropriation is to provide funding to construct a new fire station at Cecil Airport, the Fire Station 73 Project. The construction of Fire Station 73 will enable the City to improve its first response capability at Cecil Airport and the surrounding community, provide hazardous materials services, and provide back-up resources for other nearby City fire station facilities. The appropriation will also cover the repairs needed for Fire Station 56 in order to meet current fire station design standards. Currently, Fire Station 56 serves the needs of the Cecil Airport aviation tenants and the fire and rescue needs of the surrounding community outside of Cecil Airport. In exchange for JAA providing the FDOT grant funds to the City for use on these projects, the City will: oversee the rehabilitation of Fire Station 56 and the design and construction of Fire Station 73, provide the required matching funds for the FDOT grant and pay the upfront construction and rehabilitation costs, provide services to the JAA aviation tenants at Cecil Airport and fire and rescue services to the surrounding community during the term of the leases.

Policy Impact Area: Fire station construction and repair

Fiscal Impact: Appropriation of \$3,781,513 as initiated by BT 17-075

Analyst: Hampsey

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-401

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: PHS, F

Date of Analysis: May 25, 2017

Type of Action: Authorizing issuance of health care facilities revenue refunding bonds; appointing bond trustee; authorizing delegated negotiated sale of bonds; authorizing the City's Economic Development Officer to award the negotiated sale of bonds

Bill Summary: The bill authorizes the issuance of up to \$65 million in health care facilities revenue refunding bonds on behalf of Southern Baptist Hospital of Florida, Inc. (Baptist Medical Center) for the purpose of refunding health care facilities revenue bonds issued in 2007. It authorizes execution and delivery of a loan agreement and bond indenture. The bill authorizes a negotiated sale of the bonds and delegates to the City's Economic Development Officer the authority to award the sale of the bonds pursuant to the provisions of the Bond Purchase Agreement upon receipt of a written offer to purchase. The \$65 million maximum issuance shall include an underwriting discount of 1% (including management fee and all expenses) and an initial interest rate not to exceed 4% for a term of no more than 40 years. The bill approves a master indenture obligation and official statement and authorizes execution of an anticipatory hedge and appointment of a bond trustee.

Background Information: In 2006 the City Council authorized issuance of up to \$100 million in hospital revenue bonds (actually issued in 2007) on behalf of Baptist Medical Center to provide funding for: 1) the acquisition, construction, and equipping of certain capital improvements, including expanding and/or renovating operating rooms at Baptist Medical Center-Downtown and Baptist Medical Center-South and expanding and/or renovating patient rooms at Baptist Medical Center-South and Baptist Medical Center-Beaches; and (2) the purchase of hospital-related equipment at Baptist Medical Center-Downtown, Baptist Medical Center-South, and Baptist Medical Center-Beaches. This bill authorizes the issuance of up to \$65 million in similar bonds on behalf of the medical center for the purpose of refunding the outstanding balance of the original 2007 bonds, thereby refinancing the project on more advantageous terms for a period not to exceed 40 years.

Policy Impact Area: Tax-advantaged borrowing for hospital assistance

Fiscal Impact: None to City; all costs of issuance and repayment are borne by Baptist Medical Center

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-402

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

Date of Introduction: May 23, 2017

Committee(s) of Reference: PHS, F

Date of Analysis: May 25, 2017

Type of Action: Authorizing issuance of health care facilities revenue refunding bonds; appointing bond trustee; authorizing delegated negotiated sale of bonds; authorizing the City's Economic Development Officer to award the negotiated sale of bonds

Bill Summary: The bill authorizes the issuance of up to \$60 million in health care facilities revenue and refunding bonds on behalf of Florida Proton Therapy Institute (Florida Proton) for the purpose of financing, reimbursing or refinancing a portion of the costs of acquisition, construction, equipping, installation and expansion of certain capital projects. It authorizes execution, delivery and assignment of a financing agreement and delegates to the City's Economic Development Officer the authority to award the sale of the bonds to one or more of Compass Bank, First Tennessee Bank and/or SunTrust Bank. The \$60 million maximum issuance shall include a net interest cost not to exceed 8% for a term of no more than 35 years.

Background Information: In 2007 the City Council authorized issuance of up to \$135 million in hospital revenue bonds on behalf of Florida Proton to provide funding for the construction of the proton beam therapy center on the Shands Jacksonville (now UF Health Jacksonville) medical campus. This bill authorizes the issuance of up to \$60 million in similar bonds on behalf of the Institute for the purpose of refinancing a portion of the original revenue bonds and to fund expansion, renovation and upgrades of the facility's imaging system, TX planning system, and gantry rolling floors.

Policy Impact Area: Tax-advantaged borrowing for hospital assistance

Fiscal Impact: None to City; all costs of issuance and repayment are borne by Florida Proton Therapy Institute

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2017-403

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

Date of Introduction: May 23, 2017

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

Date of Analysis: May 25, 2017

Type of Action: Appropriation; authorizing execution of redevelopment agreement, lease agreement, parking sublease agreement, quitclaim deed and related agreements; authorizing grants; Ordinance Code waiver; designation of oversight agency; waiver of Public Investment Policy provisions

Bill Summary: The bill appropriates \$4 million from the Downtown Historic Preservation and Revitalization Trust Fund to an expenditure account to allow its disbursement to the developer for renovation of the Laura Street Trio at the corner of Laura and Forsyth Streets downtown and authorizes a grant of the funds to the developer upon completion of the project. It authorizes execution of a redevelopment agreement among the City, the Downtown Investment Authority, Barnett Tower LLC and Laura Trio LLC for the Barnett Tower and Laura Street Trio renovation projects. It also authorizes a lease agreement between the City and BLT Parking LLC and a parking sublease agreement between the City and the company for construction and use of a parking deck. The bill authorizes a quitclaim deed conveying a parcel of property to the Barnett Tower developer for a token \$1. It authorizes payment of a REV grant up of up to \$1.8 million (50% of the city/county portion of the property tax increment for 20 years) to the Laura Street Trio project.

The bill waives the guidelines of the Downtown Historic Preservation Trust Fund to permit the projects to receive more than the maximum \$1 million grant to any project from that fund. The bill waives the provision of Ordinance Code Section 122.432 (Appraisal of Property) to eliminate the requirement for an appraisal of property in connection with the sale of the Garage Parcel to the Barnett Developer. The Public Investment Policy is waived with regard to the limitation of \$1 million on grants from the Historic Preservation Trust Fund and with regard to the requirement that REV grant recipients must be in a targeted industry category and must create at least 10 new full-time jobs at greater than or equal to 100% of the State of Florida average wage.

The Mayor is designated as the Authorized Official for purposes of executing documents and the DIA is designated as the contract monitor for the redevelopment agreement and the City's responsibilities thereunder. The Public Works Department is designated as the overseer of the construction projects.

Background Information: The Developers have submitted a proposal to the DIA to renovate the Marble Bank Building, Bisbee Building, Florida Life Building (collectively, the "Trio Buildings"), and the Barnett Bank Building, which are historic buildings located generally along Laura Street between Adams and Forsyth Streets, in Jacksonville, Florida. The Developers have also proposed to construct a Parking Garage to serve those buildings and for other parking needs of the City, and to lease the Parking Garage to the City and to cause an Affiliate of the Barnett Developer to sublease a portion of the Parking Garage from the City. The Barnett Developer will oversee and manage the construction of the Barnett Building and the Parking Garage, and the Trio Developer will manage and oversee the restoration and renovation of the Trio Buildings. The overall renovation of the buildings and construction of the Parking Garage is expected to cause private Capital Investment in the approximate amount of

\$90,000.000 by or on behalf of the Developers. In consideration of Developers' acquisition, stabilization and redevelopment of the Projects, the DIA has recommended and the City agrees to provide the following: (i) upon satisfaction of the conditions to the conveyance contained in this Agreement, conveyance of a parcel of City owned land to Barnett Developer on which the Parking Garage will be constructed, (ii) upon completion of the Trio Project, (A) \$4,000,000.00 in Historic Preservation Trust Fund monies; and (B) a REV Grant in connection with a portion of the Project located on the Trio Parcel; and (iii) upon completion of the Barnett Project, (A) \$2,000,000.00 in Historic Preservation Trust Fund monies; and (A) a lease agreement, subject to annual appropriations, for the Parking Garage, whereby the DIA will lease, operate, manage and maintain the Parking Garage for a period of twenty years. City will provide an additional \$2,000,000 of Historic Preservation Trust Fund monies in relation to the Barnett Project upon Substantial Completion of the Trio Project in compliance with this Agreement.

The parking lot property at the southeast corner of Main and Forsyth streets to be conveyed to the developer at no cost is valued by the Property Appraiser at \$943,210 (2016 fair market value).

Policy Impact Area: Downtown redevelopment

Fiscal Impact: The bill commits the City to providing two \$4 million redevelopment grants to the Barnett and Trio projects; to making a REV grant not to exceed \$1.8 million over 20 years; and to conveying the parking lot property currently valued at \$943,210 to the developers at no cost. The DIA agrees to make lease payments of up to \$660,000 per year for 20 years (\$13,200,000 maximum obligation) for the use of the new parking garage, with the developer leasing spaces back from the DIA producing estimated revenue of \$300,000 per year.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2017-407

Sponsor: Council President at the request of the Public Defender

Date of Introduction: May 23, 2017

Committee(s) of Reference: R

Date of Analysis: May 19, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Public Defender's appointment of Mary Bland Love to the Jacksonville Ethics Commission, filling a seat formerly held by Joe Jacquot, for a full term ending December 31, 2019.

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

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

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

Ms. Love received a law degree from the University of Virginia. She is Of Counsel at *Marks Gray, P.A.* and is active in a number of community organizations including Patient & Family Advisory Council at St. Vincent's Health Care-Riverside and Flagler Hospital. Ms. Love resides in the Riverside area within Council District #14.

Policy Impact Area: Jacksonville Ethics Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2017-408

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 23, 2017

Committee(s) of Reference: R

Date of Analysis: May 19, 2017

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Aaron Garvey, as a member of the Art in Public Places Committee, as an art professional, filling a seat formerly held by Wesley Laine (Grissom) Gibbon, for a partial term to expire December 31, 2017, followed by a first full term ending December 31, 2020.

Background Information: The Art in Public Places Committee is established pursuant to Chapter 126, *Ordinance Code*, and charged to choose art which is compatible with and which will enhance the architecture and general environment of the City; receive, review and act on the recommendations of the Art Selection Panels; seek to ensure that at least 15% of the artists selected for purchase or commission will be resident(s) in the Greater Jacksonville area (Duval, St. Johns, Nassau, Clay and Baker Counties); and also encourage the selection of regional artists e.g. Florida and the Southeastern United States. Section 126.903, *Ordinance Code*, provides that the members of the committee are appointed by the Mayor, with three of the members from the professions of architecture, interior design, landscape architecture, planning, art professional, or art historian.

Mr. Garvey received a bachelor's degree in art history and a bachelor's degree in fine art in studio art from the University of North Florida. He is the Curator/Co-Founder at the *Long Road Projects* and the Founding/Chief Curator at the *Art for Thought Foundation*. Mr. Garvey resides in the Murray Hill area within Council District #14.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Shoup