

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2011-323

Introducer/Sponsor: Council President at the Request of the Sheriff

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Ordinance Repeal/Designation of Standard Agreement Form

Bill Summary: This bill repeals Ordinance 2009-355-E, which approved use of standard police sub-station and stop-station agreements. It designates a new Standard Police Stop-Station Agreement for use by the Sheriff. Additionally, it authorizes the Jacksonville Sheriff's Office (JSO) to negotiate and enter into sub-station agreements without further Council action, provided that any such agreement adheres to certain terms and conditions, including: no rental payments or costs except for maintenance and utilities; term of no more than 4 years, with any renewal term limited to 4 years; indemnification by JSO to owner limited by Florida Statutes; insurance maintained by JSO limited to self-insurance requirements of Florida Statutes; review and approval by Office of General Counsel. Authorization is given for the Sheriff, or designee, to enter into agreements, and it is required that the Office of General Counsel approve all agreements prior to execution.

Background Information: The bill states that JSO has determined after utilizing existing forms that several provisions need to be clarified and/or open to negotiation, and it has requested the changes.

Policy Impact Area: Office of the Sheriff-Stop Stations and Sub-Stations; Public Safety; Agreements

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-324

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Appropriation; carryover provision

Bill Summary: The bill appropriates \$629,000 from the Art in Public Places/Better Jacksonville Plan account to an expenditure account to be used for purchase of artwork for installation in the new County Courthouse, and authorizes the carry-over of the appropriation to a future fiscal year.

Background Information: The City's Art in Public Places ordinance requires that 0.75% of the cost of construction of public buildings (including engineering and architectural costs, but excluding land acquisition, site preparation, and furniture and equipment costs) be reserved for the purchase of art work for the facility. The artwork may be in any medium, must be site-specific (not mass-produced or standard off-the-shelf designs), may be displayed either indoors or outdoors, and must be displayed in areas where it is accessible to the general public to view (not in private offices or areas where the public is prohibited). The Art In Public Places Committee, an 11-member board appointed by the Mayor, will issue a call for proposals and will select the art for the building.

Policy Impact Area: Art in Public Places

Fiscal Impact: The bill appropriates \$629,000 in Better Jacksonville Plan funds

Analyst: Clements

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Bill Type and Number: Ordinance 2011-326

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$501,568.90 to provide \$130,156.89 in funding to the Neighborhood Stabilization Program Administration strategy and \$371,412.01 in funding to the Neighborhood Stabilization Program Financing Mechanisms strategy. Provision is made for the carryover of appropriated funds from year to year until the funds are expended or lapse in accordance with the originating state or federal program grant.

Background Information: These funds were received from loan repayments, and will provide homebuyer assistance on Neighborhood Stabilization Program created homes and funding for eligible administrative activities.

Policy Impact Area: Housing and Neighborhoods

Fiscal Impact: Undetermined; \$501,568.90 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-327

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: May 27, 2011

Type of Action: Easement Purchase Approval

Bill Summary: This ordinance approves the City of Jacksonville's purchase of Easement #800, a permanent drainage easement, and temporary Construction Easement #700, both lying between Lakeshore Boulevard and the Ortega River in Council District 14, in accordance with the terms of the City of Jacksonville Real Estate Division Option to Purchase executed by Downing Nightingale, Jr. on behalf of Lams Yacht Center, Inc. (seller), for the completion of the Hamilton/Jersey Drainage Project.

Background: The Hamilton/Jersey Drainage Project includes the installation of a new gravity storm water outfall pipe (60") that will divert storm water from the existing FDOT-owned outfall system, which flows beneath the CSX tracks and through Roosevelt Mall to the Ortega River. The new proposed secondary discharge will be routed along Hamilton Street south to Lakeshore Boulevard then continue south through an existing marina (Lamb's Yacht Marina) to its ultimate outfall to the Ortega River. The cost of this portion of the project is not to exceed \$260,000. The subject parcels are essential to the project.

Policy Impact: Public Works

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-328

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

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

Date of Analysis: May 27, 2011

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$430,966 (\$344,773 in continuation grant funding from the U.S. Department of Labor and an in-kind match of \$86,193) to add the second increment of funding to the YouthBuild Program, a program that provides disadvantaged offenders between the ages of 16 and 24 opportunities to earn a GED and learn and develop vocational and life skills while increasing the supply of affordable housing in Duval County, for the grant period Jul 1, 2009, to June 30, 2012, as initiated by B.T. 11-087; provides a carryover of funds to subsequent fiscal years; provides for City oversight by the Department of Recreation and Community Services.

Background: the Department of Labor's YouthBuild program has been successfully operating in Jacksonville since 1995 providing assistance to Jacksonville's hardest to serve youth. The male participants (aged 16-24) in the program have gained industry-recognized certifications, high school diplomas and personal enrichment skills; moreover, citizens residing in low income neighborhoods of Jacksonville have been provided with affordable housing. To date, the program has had only one participant out of 69 that recidivated.

Policy Impact: Recreation & Community Services Department/Office of Juvenile Justice & Offender-Based Programs

Fiscal Impact: The ordinance appropriates \$430,966 in a federal grant and local match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-329

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: May 27, 2011

Type of Action: Approval of Option to Purchase

Bill Summary: This ordinance approves the City of Jacksonville's acquisition of a certain parcel of property identified as Parcel 111, Real Estate Number 052861-0000, between Davis Street and Boulevard Street in Council District 7, in accordance with the terms of the City of Jacksonville Real Estate Division Option to Purchase executed by L. J. Spates on behalf of Help Center, Inc. (seller), for \$196,300 for the purpose of acquiring additional right-of-way in order to construct drainage and right-of-way improvements around Shands Hospital between Davis Street and Boulevard Street as part of the 11th and 12th Street R/W Drainage Project.

Background: The Public Works Department is engaged in improving drainage improvement and improving some of the right-of-ways in and around the Shands Hospital complex in Springfield. A building, owned by the Help Center, Inc., is obstructing the right-of-way improvements; the Real Estate Division negotiated an Option to Purchase the parcel with the seller. This ordinance approves the acquisition as stipulated by the terms of the Option to Purchase. The Option to Purchase is subject to an appraisal supporting the purchase amount; an acceptable environmental report; City Council approval; notification of the seller of the City's intent to exercise the Option.

Policy Impact: Public Works/Real Estate Division

Fiscal Impact: This ordinance approves an Option to Purchase that enables the City to acquire a parcel for an appraisal amount of \$196,300.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-330

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: May 27, 2011

Type of Action: Lease Agreement Approval

Bill Summary: This ordinance approves and authorizes the Mayor and the Corporation Secretary to execute the Interim Lease Extension Agreement between the City of Jacksonville ("City") and Gateway Center Economic Development Partnership, Ltd. for lease of Space No. 23-2 located at 5200-2 Norwood Avenue for an additional six months, commencing October 1, 2011, and expiring on March 31, 2012, with options to renew and extend the term on a month to month basis for 54 consecutive monthly renewal terms.

Background: City leases space at Gateway for the Supervisor of Elections' voter education, registration and elections operations. The City has leased space at Gateway for the Supervisor of Elections' elections operations since 2006.

Policy Impact: Supervisor of Elections/Public Works/Real Estate

Fiscal Impact: The payment terms: \$51,187.75 monthly (Monthly Base Rent, \$36,767.25; Monthly CAM, \$8,170.50; Monthly HVAC Utility, \$6,250.00; any JEA increase will be passed on to tenant).

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-331

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Authorizing interlocal agreement

Bill Summary: The bill authorizes an interlocal agreement between the City of Jacksonville and the City of Atlantic Beach for Jacksonville to provide temporary building inspection services to Atlantic Beach on an as-needed basis. The agreement provides that Atlantic Beach shall pay Jacksonville \$50 per inspection or re-inspection. The agreement is terminable by either party upon giving 30 days written notice to the other.

Background Information: The City of Atlantic Beach has one licensed building inspector. This interlocal agreement will provide a mechanism for Jacksonville to provide a back-up inspector to perform occasional inspections as needed when Atlantic Beach's inspector is on vacation, sick leave, or otherwise unavailable.

Policy Impact Area: Intergovernmental cooperation

Fiscal Impact: The agreement provides that the City of Atlantic Beach will pay Jacksonville \$50 per inspection or re-inspection

Analyst: Clements

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Bill Type and Number: Ordinance 2011-332

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

Date of Introduction: May 24, 2011

Committee(s) of Reference: F, TEU

Date of Analysis: May 26, 2011

Type of Action: Authorizing execution of EPA property access agreements

Bill Summary: The bill authorizes execution of an agreement between the City and the U.S. Environmental Protection Agency allowing the EPA to conduct soil sampling activity on the grounds of Raymond E. Davis Park on Spires Avenue.

Background Information: The EPA will sample the soil at the City park, which it does not believe is contaminated, in order to determine the natural background level of chemical constituents in the soil to use for comparison purposes with soil taken from the nearby Fairfax Street Wood Treaters Site which is contaminated. The sampling will take place between June and September, 2011.

Policy Impact Area: Environmental contamination evaluation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2011-333

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of John E. Anderson as a member of the Jacksonville Port Authority (JPA), replacing Herschel Vinyard, Jr., for a first term ending September 30, 2013.

Background Information: The JPA is established pursuant to Article 5, *Municipal Charter*, and charged to operate, manage, and control the seaport and ancillary facilities located within Duval County. Four of the seven members of the board are appointed by the Mayor of the City of Jacksonville with the confirmation of the Council of the City of Jacksonville.

Mr. Anderson received a master's degree in business administration from Harvard and serves on the boards of *Patriot Transportation Holding, Inc.*, *T & S Hardwoods, Inc.*, and *B & D Industrial, Inc.* He resides in the Beauclerc area within Council District #6.

Policy Impact Area: Jacksonville Port Authority Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-334

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Leonard "Lenny" B. Curry as a member of the Jacksonville Housing and Community Development Commission (JHCDC), as a representative of employers in Duval County, for a second four-year term ending November 30, 2014.

Background Information: The JHCDC is established pursuant to Chapter 55, *Ordinance Code*, and charged to provide oversight and guidance to the Housing Services Division; make recommendations on all agreements entered into by the Housing Services Division and the Community Development Division through the Housing and Neighborhoods Department for and on behalf of the City; conduct any required public hearings, undertake the review, take any and all required actions for compliance, and make recommendations to the Council for adoption (and authorize the transmittal) as required by section 420.9076, Florida Statutes; and conduct any required public hearings, undertake the review, take any and all required actions for compliance, and recommend to the Council for adoption (and authorize the transmittal) a "Consolidated Plan" as required by 24 CFR Part 91. Section 55.203, *Ordinance Code*, provides that six of the members of the Commission shall be appointed by the Mayor and confirmed by Council, in various categories, including a "representative of employers in the Duval County".

Mr. Curry is a graduate of the University of Florida and co-founder of consulting firm *ICX Group, Inc.* He resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville Housing & Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-335

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Charles F. Spencer as a member of the Jacksonville Housing and Community Development Commission (JHCDC), as a citizen resident, for a four-year term ending November 30, 2014.

Background Information: The JHCDC is established pursuant to Chapter 55, *Ordinance Code*, and charged to provide oversight and guidance to the Housing Services Division; make recommendations on all agreements entered into by the Housing Services Division and the Community Development Division through the Housing and Neighborhoods Department for and on behalf of the City; conduct any required public hearings, undertake the review, take any and all required actions for compliance, and make recommendations to the Council for adoption (and authorize the transmittal) as required by section 420.9076, Florida Statutes; and conduct any required public hearings, undertake the review, take any and all required actions for compliance, and recommend to the Council for adoption (and authorize the transmittal) a "Consolidated Plan" as required by 24 CFR Part 91. Section 55.203, *Ordinance Code*, provides that six of the members of the Commission shall be appointed by the Mayor and confirmed by Council.

Mr. Spencer is the International Vice President and Executive Vice President At-Large of the South Atlantic and Gulf Coast District of the *International Longshoremen's Association*. He has previously served on the Equal Business Opportunity Advisory Committee, Jacksonville Sports Development Authority, Sports and Entertainment Board, Better Jacksonville Plan Project Administration Committee, and the Jacksonville Aviation Authority. Mr. Spencer resides in the Girvin area within Council District #3.

Policy Impact Area: Jacksonville Housing and Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-336

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of David B. Case as a member of the Jacksonville Historic Preservation Commission, as an architect representative, for a second three-year term ending March 4, 2014.

Background Information: The Jacksonville Historic Preservation Commission is established pursuant to Chapter 76, *Ordinance Code*, and charged to conduct an ongoing survey and inventory of historic buildings, areas, and archaeological sites in the City of Jacksonville and to plan for their preservation; identify potential landmarks and potential landmark sites and to make recommendations to the City Council as to whether such should be officially designated; recommend that the City Council designate specified areas as historic districts and to identify which structures should be considered to be contributing structures; develop specific guidelines for the alteration, construction, relocation or removal of designated property; promulgate standards for architectural review which are consistent with standards for rehabilitation established by the United States Secretary of the Interior; approve or deny applications for certificate of appropriateness for alteration, construction, demolition, relocation or removal of landmarks, landmark sites, and property in historic districts; initiate plans for the preservation and rehabilitation of individual historic buildings; undertake public information programs including the preparation of publications and the placing of historic markers; conduct public hearings to consider historic preservation issues, the designation of landmarks, landmark sites, and historic districts, applications for certificate of appropriateness and nominations to the National Register of Historic Places; and administer Chapter 307, *Ordinance Code*.

Section 76.102, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council.

Mr. Case received a bachelor's degree in architecture from the University of Miami and is a Florida licensed Architect. He is a Principal Architect with *Richard Skinner & Associates, Architects* and resides in the Beauclerc area within Council District #6.

Policy Impact Area: Jacksonville Historic Preservation Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-337

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Michelle B. Barnett as a member of the Jacksonville Housing Authority, replacing Jay Plotkin, for a four-year term ending September 16, 2014.

Background Information: The Jacksonville Housing Authority is established pursuant to Chapter 51A, Ordinance Code, and charged to within its area of operation, prepare, carry out, acquire, lease, and operate housing projects; and provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103, *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation of the Council.

Ms. Barnett received a law degree from Vanderbilt University and is a Partner at *Alexander, DeGance & Barnett*. She resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2011-339

Sponsor: Council President Webb

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Appointment

Bill Summary: This bill appoints Kristanna B. "Kris" Barnes, as a citizen member, to the 2009, 2010, and 2011 Value Adjustment Boards (VAB), replacing Jason Caldow on the 2009 and 2010 Value Adjustment Boards, for the duration of the board hearings.

Background Information: The Duval County VAB is established pursuant to 194.015, *Florida Statutes*, and charged to hear appeals regarding property assessments and complaints against homestead exemption denials. The membership includes a citizen member, owning homestead property within the county, appointed by the City Council as the governing body of the county.

Ms. Barnes is a former member and chair of the Duval County School Board. During her two terms as a School Board Member, she served on the VAB and has also served on the Construction Trades Qualifying Board. She resides in the Miramer area within Council District #5.

Policy Impact Area: Value Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-349

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Approving amended solid waste and recycling hauler contracts; Ordinance Code amendment; Ordinance Code waivers

Bill Summary: The bill approves an amended and restated solid waste collection agreement between the City and Republic Services of Florida (d/b/a Southland Waste Systems of Jacksonville) that extends the contract by 5 additional years from September 2016 to September 2021, provided that Southland begins “automated service” on its routes by July 1, 2012. The amended agreement also provides definitions and terms of service of the “automated service”, authorizes the company to utilize compressed natural gas to fuel its trucks rather than City-provided diesel fuel, and provides for collection of curbside recycling once every two weeks rather than on a weekly basis once the automated service begins. The agreement also provides for a 6-year extension of Southland’s contract for processing and sale of curbside collection recycled materials at the company’s new recycling processing center. The bill amends Ordinance Code Chapter 382 – Waste Collection and Disposal Service by Contractors and City – to insert language providing standards for automated solid waste and recycling collection services. The bill waives several provisions of the Ordinance Code (Chapter 126 – Procurement and Chapter 382 – Waste Collection and Disposal Service) to extend the Waste Collection contract based on time frames outside the Code and waive Ordinance Code Chapter 126.202 in order to extend the Contract for the Processing and Sale of Recycling Materials for six (6) years without a sealed competitive bid of the extension.

Background Information: “Automated service” involves the distribution of standard 96-gallon garbage and recycling rolling carts to all customers and the emptying of those carts by means of a hydraulic lifter arm on specially equipped trucks. Southland will finance the purchase and distribution of the rolling carts and requests the extension of its contract for 5 additional years to provide a sufficient amortization period for its investment. This automated service provisions and Ordinance Code amendment will apply only to the solid waste zone served by Southland until such time as the other haulers enter into agreements to provide automated service. Blue bin curbside recycling service will remain on a weekly basis in zones not served by “automated service”.

Policy Impact Area: Solid waste and recycling collection

Fiscal Impact: This bill reflects the rates proposed in 2011-294 which, if approved by Council, provides that the premises rate shall be \$9.85 through September 1, 2011, after which the rate shall be set by a formula established in the agreement which takes into account a base rate calculation, the Consumer Price Index, and periodic full rate reviews.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-350

Sponsor: Council President at the request of the Sheriff:

Date of Introduction: May 24, 2011

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

Date of Analysis: May 27, 2011

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant. The bill reallocates \$39,852.55 in federal grant funding in order to cover payroll expenditures coincident to the extension to December 31, 3011, of the contract between the Florida Department of Corrections and the City of Jacksonville, as initiated by B.T. 11-097; provides a carryover of funds to Fiscal Year 2011-2012; authorizes the Mayor and Corporation Secretary to execute for and on behalf of the City that certain contract amendment between the Department of Corrections and the City of Jacksonville; requests emergency passage.

Background: The contract provides case management and reentry program services to inmates released from Baker and Lowell Correctional Institutions and returning to Duval County. The City of Jacksonville contracts case management services to insure that inmates returning to Jacksonville have the proper counseling and training that would enable those inmates to become productive members of the community once they are returned to Duval and are released back into society. The nature of the emergency is that Amendment 1 must be executed by June 23, 2011, in order to avoid a lapse in funding.

Policy Impact: Jacksonville Sheriff's Office/Corrections

Fiscal Impact: The ordinance reallocates \$39,852.55 in a continuation (federal) grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-351

Introducer/Sponsor: Council Member Crescimbeni

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 122.102, Ordinance Code, to prohibit use of the name of a current consolidated government officer, official, or employee on any outdoor signage identifying a public office or building, whether leased or owned by the City. This prohibition includes the executive and legislative branches, as well as the constitutional offices and independent agencies, and is made inapplicable to commemorative plaques. It is stated that enactment is deemed to be an exercise of county powers, but that it is not intended to apply to the governmental officers, officials, employees, buildings, or offices of the governments of the City of Atlantic Beach, the City of Neptune Beach, the City of Jacksonville Beach, or the Town of Baldwin.

Policy Impact Area: Public Buildings-Signage

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-353

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: May 24, 2011

Committee(s) of Reference: LUZ

Date of Analysis: May 26, 2011

Type of Action: Amending and extending development agreement

Bill Summary: The bill approves a second amendment to the development agreement between the City and Liberty Property Limited Partnership to extend the development agreement for 7251 Salisbury Road for an additional 3 years to December 23, 2015, subject to a performance schedule and payment of an annual capacity reservation fee.

Background Information: The original development agreement was entered into in 1998 with an expiration date of December 2003, which was subsequently extended to 2008 (with the addition of 26,600 square feet of warehouse space) and then to 2010. The developer has developed 2 of the 4 authorized buildings amounting to 132,400 square feet of the 228,600 square feet of warehouse space and 25,400 square feet of office space authorized by the original development agreement. A state law in 2010 extended the expiration of all development agreements by an additional two years, which extended this agreement to the current December 2012 deadline.

The amended agreement provides that Liberty Property's existing traffic circulation capacity is reserved until December 2015 upon payment of an annual reservation fee equal to 4 times the application fee for a capacity reservation certificate based on the amount of remaining capacity to be reserved.

Policy Impact Area: Development agreement

Fiscal Impact: Undetermined – the revised agreement provides for an annual capacity reservation fee based on the amount of remaining capacity being reserved.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-354

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: May 24, 2011

Committee(s) of Reference: LUZ

Date of Analysis: May 26, 2011

Type of Action: Approval of development agreement

Bill Summary: The bill approves a development agreement between the City and East San Marco , LLC to reserve transportation capacity sufficient to serve a development encompassing 160 condominium units and 57,000 of retail space on 4.1 acres at the intersection of Hendricks Avenue and Atlantic Boulevard in San Marco, subject to a performance schedule and the payment of an annual capacity reservation fee.

Background Information: The subject property was rezoned in 2006 and a conditional concurrency capacity availability statement was issued in 2010. The annual concurrency reservation fee will be two times the amount of the application fee for a concurrency reservation certificate for 258 p.m. peak hour trips on Hendricks Avenue, Atlantic Boulevard and San Marco Boulevard. The project performance schedule states that Parcel A will be designed, permitted and application for final development approval made no later than 7 years from the effective date of the agreement. Parcel C will be designed, permitted and application for final development approval made no later than 9 years from the effective date of the agreement.

Policy Impact Area: Concurrency capacity reservation

Fiscal Impact: Undetermined – the concurrency reservation fee will be based on the amount of capacity being reserved and the number of years of the reservation.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-355

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: May 24, 2011

Committee(s) of Reference: LUZ

Date of Analysis: May 26, 2011

Type of Action: Approval of development agreement

Bill Summary: The bill approves a development agreement between the City and Alta Road South, LLC to reserve transportation capacity sufficient to serve a development encompassing 124,000 square feet of warehouse space on 9.31 acres on Alta Drive near State Road 9A in the Dames Point area, subject to a performance schedule and the payment of an annual capacity reservation fee for a period of 5 years.

Background Information: The subject property was issued a conditional concurrency capacity availability statement in 2008. The annual concurrency reservation fee will be two times the amount of the application fee for a concurrency reservation certificate for 65 p.m. peak hour trips. The project performance schedule states that the developer will obtain a wetlands determination and undertake wetlands mitigation in year one, obtain permits in year two, begin site planning in year three, prepare plans in year four and construct the project in year five.

Policy Impact Area: Concurrency capacity reservation

Fiscal Impact: Undetermined – the concurrency reservation fee will be based on the amount of capacity being reserved and the number of years of the reservation

Analyst: Clements

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Bill Type and Number: Ordinance 2011-356

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; TEU

Date of Analysis: May 27, 2011

Type of Action: Approving Easement Agreement

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute an Easement Agreement by which the American National Red Cross ("Red Cross") grants to the City of Jacksonville ("City") a Perpetual Easement for the Construction, Maintenance and Access, in over, under, upon and through property owned by the Red Cross and located in Council District 9; the ordinance authorizes the Executive Director of the JEDC to make technical changes to the Easement.

Background: The purpose of the Perpetual Agreement is to allow the City to construct certain facilities, structures and other improvements to be used by the City in connection with the Jacksonville Riverwalk and Riverside Arts Market projects. The City would like a public easement over private property, specifically the lower landing area; the easement will not contain the bulkhead. The JEDC Executive Director, in his sole discretion, is authorized to approve technical changes to the Easement, changes that include non-material modifications to legal descriptions and surveys, ingress and egress, easements and rights of way, performance schedules, and design standards, so long as such modifications do not involve any increased financial obligation or liability to the City or the JEDC.

Policy Impact: Jacksonville Economic Development Commission

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-357

Introducer/Sponsor: Council Member Lee

Date of Introduction: May 24, 2011

Committee(s) of Reference: R; TEU

Date of Analysis: May 26, 2011

Type of Action: Honorary Street Designation

Bill Summary: This bill provides for an honorary roadway marker recognizing and honoring Ronald C. Elps. The marker is to be placed on Soutel Drive, and the honorary road will run along Soutel Drive from US 1 to Sibbald Road, along the southeast side of Soutel Drive. It is stated that private funds will be used to pay for the honorary road marker. As Ronald Elps has not been deceased for more than 5 years, the provisions of Section 745.105(e)(2), Ordinance Code, are being waived to allow for the honorary street designation and marker. Legislative Services is directed to send a copy of the enacted legislation to the Planning and Development Department, Addressing Unit, for processing, implementation, and coordination with the Public Works Department, Traffic Engineering Division, and other affected agencies and organizations.

Background Information: Ronald C. Elps founded The Old Timers to honor historical black figures, and he arranged and funded such events as the ongoing annual Dr. Martin Luther King, Jr., Celebration Day. He promoted a stay in school drive, and was the recipient of several awards for his dedication and community service.

Policy Impact Area: Honorary Street Designations

Fiscal Impact: Undetermined; private funds are to be used to pay for the road marker

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-358

Introducer/Sponsor: Council Member R. Brown

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$449,470 from a Soutel/Moncrief CRA TID (Community Redevelopment Area Tax Increment District) account to provide funding for design and engineering for the expansion of utility, sewer, and drainage on US 1 from I-295 to 14th Street and in the Lonnie Miller Park area located at 7689 Price Lane.

Background Information: Such improvements are envisioned by the community redevelopment plan, with preliminary costs estimated at \$2-\$3 million.

Policy Impact Area: JEA; Public Works

Fiscal Impact: Undetermined; \$449,470 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-359

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Appropriation

Bill Summary: This bill appropriates \$35,000 from the Environmental Protection Board Trust Fund to provide additional funding to the Tree Hill Nature Center Energy Efficiency Demonstration Projects for a Geothermal Heating and Cooling System. Provision is made for the carryover of appropriated funds to fiscal year 2011-2012. Tree Hill Nature Center is to be paid in three installments (\$20,000 upon the effective date of the ordinance; \$10,000 upon receipt by the Environmental and Compliance Department of written notification of completion of certain tasks of the system proposal; and, \$5,000 upon receipt by the Environmental and Compliance Department of written notification of completion of the system). The Environmental and Compliance Department is required to oversee the project.

Background Information: The appropriation includes costs for administration, installation, and testing of the proposed system. This funding is in conjunction with \$31,000 of appropriated funding from the City through a United States Department of Energy Grant by City Council through Ordinance 2010-440-E. The project will use the Intermediate Aquifer System as the water source, and will demonstrate that this can be used in lieu of tapping the Floridan Aquifer. Additionally, it will demonstrate energy conservation and usage assessment, provide a showcase for new energy efficient technologies, and facilitate educational programs.

Policy Impact Area: Energy; Environmental Protection; Tree Hill Nature Center

Fiscal Impact: Undetermined; \$35,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Resolution 2011-360

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: R

Date of Analysis: May 26, 2011

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of J. Richard Moore, Jr. as a member of the Jacksonville Historic Preservation Commission, as a history representative, for a second three-year term ending March 4, 2014.

Background Information: The Jacksonville Historic Preservation Commission is established pursuant to Chapter 76, *Ordinance Code*, and charged to conduct an ongoing survey and inventory of historic buildings, areas, and archaeological sites in the City of Jacksonville and to plan for their preservation; identify potential landmarks and potential landmark sites and to make recommendations to the City Council as to whether such should be officially designated; recommend that the City Council designate specified areas as historic districts and to identify which structures should be considered to be contributing structures; develop specific guidelines for the alteration, construction, relocation or removal of designated property; promulgate standards for architectural review which are consistent with standards for rehabilitation established by the United States Secretary of the Interior; approve or deny applications for certificate of appropriateness for alteration, construction, demolition, relocation or removal of landmarks, landmark sites, and property in historic districts; initiate plans for the preservation and rehabilitation of individual historic buildings; undertake public information programs including the preparation of publications and the placing of historic markers; conduct public hearings to consider historic preservation issues, the designation of landmarks, landmark sites, and historic districts, applications for certificate of appropriateness and nominations to the National Register of Historic Places; and administer Chapter 307, *Ordinance Code*.

Section 76.102, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council.

Mr. Moore received a law degree from Nova University and is a Partner with *Rahaim, Watson, Dearing & Moore, P.A.* He resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville Historical Preservation Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2011-361

Introducer/Sponsor: Council President at the Request of the Mayor

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Declaration of Surplus; CIP Amendment; Waiver

Bill Summary: This bill declares certain parcels of real property to be surplus to City needs and authorizes the Mayor, or designee, and Corporation Secretary to execute a Land Conveyance Agreement conveying fee simple title to the subject property from the City to the Jacksonville Transportation Authority (JTA) at no cost. Further authorization is given for the execution of other necessary documents, for action to be taken to effectuate the purposes of this ordinance, and for extension of reversion clauses. Technical changes having no financial impact are permitted. The provisions of Section 122.424, Ordinance Code, are waived to allow the conveyance for use as part of the Regional Transportation Center. Additionally, the Capital Improvement Program is amended to delete the Jacksonville Regional Transportation Center Bus project.

Background Information: JTA is planning the construction and operation of a multimodal transportation center known as the Regional Transportation Center, linking several existing and planned modes of public transit. It has agreed that the donation of land to facilitate development is a suitable contribution in lieu of the previously planned \$5 million cash contribution from the City. JTA plans to leverage the value of the donated land to accelerate construction of an intercity bus terminal. The proposed surplus involves fourteen parcels located in the vicinity of Bay, Lee, Adams, and Stuart streets. Information from the Real Estate Division reflects a total assessed value of \$2,206,876 for the various parcels and a total purchase price of \$3,038,256 (excluding acquisition costs, such as appraisals, title work, attorney fees, or statutory fees associated with condemnation).

Policy Impact Area: Regional Transportation Center; JTA

Fiscal Impact: Undetermined; JTA has agreed that the land donation is a suitable contribution in lieu of the planned \$5 million cash contribution from the City

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-363

Introducer/Sponsor: Council Member Corrigan

Date of Introduction: May 24, 2011

Committee(s) of Reference: LUZ

Date of Analysis: May 26, 2011

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Subpart O, Part 3, Chapter 656, Ordinance Code, to revise regulations governing the Riverside/Avondale Zoning Overlay. Several sections are moved, and provisions concerning street art signs are deleted. It is required that the front yard setback on corner lots satisfy the intersection visibility requirements of the Ordinance Code. Lighting provisions are modified so that specified lighting does not illuminate adjacent residential property "above" (rather than "below") a height of 5 feet at the residential property line. Various provisions and criteria relative to garage apartments in Residential Character Areas are deleted, as well as certain setback encroachment provisions and landscaping standards. Signage provisions are amended, and changing message devices are prohibited. Certain specific prohibitions on the use of internal illumination and on pole signs are removed.

Background Information: Information from the Office of General Counsel indicates that the proposed changes are intended to clarify, correct, and/or modify various provisions of the Riverside/Avondale Zoning Overlay to fully implement the overlay consistent with the original intent.

Policy Impact Area: Planning and Zoning; Riverside/Avondale Zoning Overlay

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2011-364

Sponsor: Council President at the request of the Mayor and by Council Members Corrigan and Jones:

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: May 27, 2011

Type of Action: Agreement Authorization

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute an Open Air Market Operator Agreement (the "Agreement") between the City of Jacksonville and Riverside Arts Market, LLC (the "Operator"), for operation of an open air market at the Northbank Riverwalk Artists Square for an initial term of ten (10) years, with options to renew for three (3) additional ten (10) year periods for a license fee of \$1.00 per year with both City and operator having the right to terminate the Agreement upon 30 days' written notice to the other party.

Background: The Riverside Arts Market, located under the I-95 bridge between the St. Johns River and Riverside Avenue, was opened in April 2009. The idea and development of the market was largely the work of and spearheaded by Dr. Wayne Wood and Riverside Avondale Preservation, Inc. The market provides vendors in the community a venue to offer arts, entertainment, crafts, wares, foods and other commodities. The City Council enacted legislation in February 2010 to construct a floating dock on the Northbank Riverwalk adjacent to the northern approach to the Fuller Warren Bridge for use by boaters wishing to access the arts market from the St. Johns River. The market has been a very successful venture. Presently, the operator's agreement between the market operator and the City is on a yearly basis. This legislation betters the relationship and recognizes the success and continued potential of the open-air market by authorizing and approving an arrangement that enables the arts market to renew its operator's agreement with the City at ten-year intervals.

Policy Impact: Northbank Riverwalk/Riverside Arts Market

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-365

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Authorization of settlement agreement

Bill Summary: The bill authorizes a settlement agreement among the City, the JEDC and Project Riverwatch, LLC regarding construction of a parking garage at Bay and Hogan Streets for the benefit of the Jacksonville Landing. The settlement provides that the bankruptcy trustee for Project Riverwatch LLC shall convey to the City an unencumbered deed to Sister Cities Plaza which was previously conveyed to a predecessor of Project Riverwatch, in return for which the City will dismiss the pending lawsuit City of Jacksonville vs. Project Riverwatch, LLC in Duval County Circuit Court.

Background Information: This legislation derives from a years-long succession of agreements between the City and various parties to fulfill the City's obligation to provide parking for the Jacksonville Landing. In 2002, pursuant to the 5th Amendment to the Landing lease, the City contracted with Humana Medical Plan, Inc. to construct a parking garage at the corner of Bay and Hogan Streets within which would be reserved 300 weekday and 375 night and weekend spaces for Landing patrons. Humana sold its office building and the adjacent lot to developer Cameron Kuhn of Orlando who agreed to take up Humana's obligation to construct the parking garage. Several years later Mr. Kuhn declared bankruptcy and the property is tied up in bankruptcy proceedings. This settlement provides that Sister Cities Plaza, a small City park and adjacent road right-of-way at the corner of Hogan and Water Streets across from the Landing, will be conveyed back to the City by the bankruptcy trustee for Riverwatch and Riverwatch will relinquish any rights to previously approved City economic incentives for construction of the parking garage, in return for which the City will dismiss its lawsuit against Riverwatch for \$2 million in liquidated damages for failure to produce the parking garage as agreed.

Policy Impact Area: Legal settlement

Fiscal Impact: Undetermined; Sister Cities Plaza was incorporated into the larger tract running from Bay Street to Water Street on the east side of Hogan Street, which the Property Appraiser values at \$2.59 million.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2011-366

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Approval of economic development agreement; appropriation; approval of parking validation plan; grant of property purchase option; Ordinance Code waiver; CIP amendment

Bill Summary: The bill approves an economic development agreement between the City and Parador Partners, LLC under which the City will make a \$3.5 million grant to Parador to assist in the construction of a 500-space parking garage on Hogan Street between Bay and Water Streets for use by tenants of the SunTrust Building (which Parador owns) and by downtown retail customers. If the Jacksonville Landing agrees to waive provisions of its lease regarding the City's current parking provision obligations, then Parador agrees to reserve spaces for use by Jacksonville Landing patrons (200 on weekdays, 375 evenings and weekends) and the City agrees to provide for a continuing City grant of \$132,250 per year to Parador beginning in the sixth year after the opening of the garage and continuing until March 2031 to fund a parking validation program for Landing patrons, up to a maximum appropriation of \$1,587,000. The bill appropriates \$3,507,226 from a Public Works Capital Projects account where it was allocated to Metropolitan Park improvements to a JEDC Capital Projects account to provide funding for the grant to Parador. The parking validation program is made contingent upon Jacksonville Landing Investments, LLC agreeing to amend its lease with the City for the Jacksonville Landing to relinquish its right to construct its own parking garage and to accept the Parador garage and parking validation system as satisfaction of the City's obligation to provide sufficient parking for the Landing.

The bill grants Parador Partners a 5-year option to purchase the Sister Cities Plaza parcel at the corner of Hogan and Water Streets, contingent upon the City obtaining clear title to the property pursuant to a settlement agreement currently pending before the Council as Ordinance 2011-365. The bill waives provisions of Ordinance Code Chapter 122 – Public Property – which require one or more appraisals before City property within a Community Redevelopment Area can be sold, require City Council approval of a sales contract by ordinance, and require that notices be given to City Council before a property is offered for sale and before a purchase offer is accepted. The bill amends the 2011-15 CIP to deauthorize the Metropolitan Park Improvements project, authorizes the execution of transaction documents and the making of minor technical amendments to documents, and designates the JEDC as the oversight agency for the administration of the transaction.

Background Information: Parador Partners is the latest company to take up the project of constructing a parking garage on the vacant lot on Hogan Street between Bay and Water Streets with reserved spaces for Jacksonville Landing patrons. Parador also intends to lease spaces in the garage to tenant of the SunTrust bank building on the northwest corner of Bay and Hogan Streets, which does not have its own parking facility. In

2002, pursuant to the 5th Amendment to the Landing lease, the City contracted with Humana Medical Plan, Inc. to construct a parking garage at the corner of Bay and Hogan Streets adjacent to the then-Humana Building, within which would be reserved 300 weekday and 375 night and weekend spaces for Landing patrons. Humana later sold its office building and the adjacent vacant lot to developer Cameron Kuhn of Orlando who agreed to take up Humana's obligation to construct the parking garage as part of his Project Riverwatch. Several years later Mr. Kuhn declared bankruptcy and the parking garage project fell through. The City conveyed Sister Cities Plaza to Mr. Kuhn for his Riverwatch project, and is in the process of retrieving ownership of the property from the Riverwatch bankruptcy trustee via a settlement agreement pending before the Council in Ordinance 2011-365.

The City has a long-standing contractual obligation to provide the Jacksonville Landing with 300 weekday and 375 night and weekend parking spaces in the immediate proximity of the Landing, which it has attempted to fulfill by contracting with Humana and then with Project Riverwatch for the construction of a parking garage with reserved spaces for Landing patrons. Most recently a proposal for the City to fund the Landing's purchase of an existing nearby surface parking lot in satisfaction of the obligation was approved by City Council but vetoed by the Mayor.

Policy Impact Area: Jacksonville Landing parking obligation

Fiscal Impact: The bill provides for a \$3.5 million grant to Parador Partners upon completion of the parking garage, and a continuing commitment to fund a parking validation program in the amount of \$132,250 per year until March 2031, with a maximum cap of \$1,587,000, should the Jacksonville Landing ownership agree to have this parking arrangement supplant the existing Landing lease provisions regarding parking.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-367

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2011

Committee(s) of Reference: RCD; F

Date of Analysis: May 27, 2011

Type of Action: Amended Lease Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute the Fifth Amendment to Amended and Restated Lease between the City of Jacksonville ("City") and the Gator Bowl Association, Inc., amending the Software Signage Rights Payment, and settling prior payments for the same.

Background: The Third Amendment to the Lease Agreement, signed January 31, 2006, stipulated that the Gator Bowl Association would pay the City of Jacksonville 20% of the fees derived from what the Gator Bowl Association earned from the electronic signage charges at the Annual Gator Bowl classic football game played every January 1st. The City was guaranteed a minimum of \$15,000 to a maximum of \$30,000, using Consumer Price Index rates. The Gator Bowl has not met its payment obligation as stipulated by the Third Amendment. This, the Fifth Amendment, settles prior payments.

Policy Impact: Gator Bowl Association

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-368

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

Date of Introduction: May 24, 2011

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

Date of Analysis: May 26, 2011

Type of Action: Approval of economic development agreement; authorization of QTI and Brownfields Bonus application; waiver of portion of Public Investment Policy

Bill Summary: The bill approves an economic development agreement between the City and EverBank, FSB for location of a new office housing 200 new full-time jobs with an average annual wage of \$49,000 and with an estimated capital investment of \$1.6 million in equipment and furnishings. The bill approves submission of a Qualified Targeted Industry grant application to the State of Florida, with the City committing to pay a 20% match to the state's 80% grant. EverBank has not chosen a location but the City match would be \$420,000 (\$2,100 per job) if the company chooses a location that is within the City's Enterprise Zone and qualifies for enterprise zone and brownfields bonuses, or \$200,000 (\$1,000 per job) if the location is elsewhere in the City.

If the project chooses to locate within the City's enterprise zone, the bill approves a waiver of the City's Public Investment Policy regarding minimum capital investment, minimum number of new jobs and hiring of a minimum percentage of employees who live within the enterprise zone. The policy requires that projects seeking Enterprise Zone and Brownfields bonuses that locate within the enterprise zone, but in a portion of the zone that does not meet the poverty and unemployment criteria, must invest at least \$10 million, create at least 250 new jobs, and hire 10% of its new employees from persons who reside within the enterprise zone.

Background Information: Jacksonville-based EverBank is seeking to consolidate and expand its operations, and is considering a new office in Jacksonville (either downtown or on the Southside), in New York or in Ohio where the company has existing operations. The JEDC recommends this development agreement and the potential associated waivers of the City's Public Investment Policy in order to strengthen a local company and to attract further financial industry and headquarters jobs to Jacksonville, particularly to downtown.

The City previously entered into an economic development agreement with EverBank in 2007 for a previous QTI incentive for its headquarters location on Riverside Avenue. Due to the recent economic recession, EverBank is working with the State of Florida on an extension of the deadline for job creation for that incentive. The City has not made any QTI payments pursuant to the 2007 agreement.

Policy Impact Area: Economic development

Fiscal Impact: The bill would commit the City to a QTI match of either \$420,000 or \$200,000 depending on the site chosen for the project.

Analyst: Clements

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Bill Type and Number: Ordinance 2011-369

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

Date of Introduction: May 24, 2011

Committee(s) of Reference: F; RCD

Date of Analysis: May 27, 2011

Type of Action: Approval of Economic Development Agreement; Appropriation

Bill Summary: The ordinance approves and authorizes the execution of an Economic Development Agreement between the City of Jacksonville ("City"), the Jacksonville Economic Development Commission ("JEDC") and EverBank, FSB, ("EverBank"), to support the relocation of EverBank's operations in Jacksonville, Florida to the downtown area (the "Project"); the Agreement authorizes a grant in an amount no to exceed \$2,750,000; the ordinance appropriates funds not to exceed \$2,750,000; provides a carryover of funds from year to year until such funds are expended or lapse according to the Agreement; authorizes approval of technical amendments by the Executive Director of the JEDC; provides for City oversight by the JEDC; timeline for execution of Agreement by EverBank.

Background: Currently, EverBank has 1,200 employees and leases extensive office space in two Southside locations, the Quadrant II and Cypress Plaza. EverBank's lease on its current Southside site is coming up for renewal. By this Economic Development Agreement, EverBank commits to relocating 1,200 permanent full-time equivalent jobs to the northbank in downtown Jacksonville by December 31, 2012. The City proposes to provide \$2,750,000 to assist EverBank with its relocation (the "Relocation Incentive"). In order to receive the relocation incentive, EverBank would have to create 200 new jobs and relocate a minimum of 1,000 jobs to downtown. The project will have a considerable, positive impact on Downtown with the additional influx of new employees who will increase foot traffic, vitality and consumer spending Downtown. The proposed relocation incentive will not be paid to EverBank until after the jobs are relocated in Downtown, and not before October 1, 2012. Every year the City will monitor to make sure that EverBank is maintaining a presence downtown. If at the end of five years, EverBank has not maintained an average of 1,230 jobs (combination of its Riverside headquarters and relocated jobs downtown) over the five year period, EverBank will be required to repay to the City a prorated amount of the grant based on the job number shortfall.

Policy Impact: Economic Development/Downtown Development/Jacksonville Economic Development Commission.

Fiscal Impact: This ordinance authorizes an Economic Development Agreement that would grant EverBank \$2,750,000 in relocation incentive funds.

Analyst: Jackson

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Bill Type and Number: Ordinance 2011-370

Introducer/Sponsor: Council President Pursuant to Chapter 380, Ordinance Code

Date of Introduction: May 24, 2011

Committee(s) of Reference: TEU

Date of Analysis: May 26, 2011

Type of Action: Granting of Certificate of Public Convenience and Necessity

Bill Summary: This bill grants an initial Certificate of Public Convenience and Necessity (CON) to Otis Road Landfill, LLC, to operate the Otis Road Disaster Recovery Debris Management and Recycling Facility at 1700 Otis Road, subject to conditions. It is stated that the Solid Waste Division supports approval of the CON if the applicant agrees to accept and comply with the conditions.

Background Information: The recommended conditions involve such issues as entrance signage, authorized materials, facility capacity, out-of-county wastes, personnel training, waste control, other permits, financial assurance, reporting, storage time, height of storage pile, landfill height, hours of operation, host fee, hold harmless provisions, 5-year term, certificate renewals, air permits, compliance with applicable federal, state, and local rules and regulations, water supply, wastewater and sewage disposal and treatment, scales, reclaimed water, noise and odor control, sediment and erosion control, litter control, and contingency and other required plans.

Policy Impact Area: Certificates of Public Convenience and Necessity; Solid Waste; Recycling

Fiscal Impact: Undetermined

Analyst: Campbell