

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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117 West Duval Street
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Bill Type and Number: Ordinance 2016-0348

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 20, 2016

Type of Action: Appropriation and modification to a subgrant agreement

Bill Summary: This bill appropriates an additional \$111,967.00 to the Hazard Mitigation Grant Program Group IV Wind Retrofit Project; provides a carryover of funds to FY 2016-2017; provides oversight by the Fire and Rescue Department; and authorizes the Mayor, or his designee, and the Corporation Secretary to execute and deliver, for and on behalf of the City, a Modification to Subgrant Agreement between the Division of Emergency Management and the City of Jacksonville.

Background Information: The appropriation of the original funds was done through Ordinance 2014-0466. The grant covers the cost of permitting, labor, materials and installation of the Wind Retrofit Project at nine (9) local fire stations. The fire stations will have missile-impact resistant coverings, storm shutters for windows, apparatus bay doors, egress doors and other openings. The benefits of this project include damage prevention from winds up to 150 miles per hour; reduction of long-term risk of wind damage to the nine fire stations; decreased insurance claims; and increased rating through the Duval County Local Mitigation Strategy.

Wind Retrofit Project sites:

Fire Station 19 - 1072 Rogero Road

Fire Station 35 - 12851 N. Main St.

Fire Station 37 - 10151 Busch Drive N

Fire Station 43 - 18255 Pennsylvania Ave.

Fire Station 49 - 14880 Yellow Bluff Road

Fire Station 50 - 3275 Tamaya Blvd.

Fire Station 52 - 6130 Collins Road

Fire Station 57 - 11785 W Beaver St.

Fire Station 58 - 251 Joeandy Road

The additional funds (\$111,967) are a combination of \$83,975 from the Federal Emergency Management Agency (FEMA) and a 25% City Match of \$27,992 from the Reserve for Federal Programs. The modification is the first revision to the subgrant agreement. Both entities agree to extend the period of agreement to March 31, 2017; and modify the budget and scope of work.

Policy Impact Area: Fire & Rescue Department

Fiscal Impact: The appropriation of \$111,967.00 as initiated by B.T.16-075.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-349

Sponsor: Transportation, Energy & Utilities Committee:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2014

Type of Action: Street Renaming

Bill Summary: This ordinance regards Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code*; it removes the “West” portion of the street name and adds a street type of “Street” to rename “West Burnside” to “Burnside Street” in Council District 9; it directs the Legislative Services Division to forward this ordinance to the Planning and Development Department.

Background Information: The “West Burnside” street name was established by the plat of Westbrook subdivision recorded in Plat Book 4, page 61 in the public records of Duval County. The Addressing Section of the Planning & Development Department was advised by the 911 Call Center that the address of “2407 Burnside” does not appear in the Computer Aided Dispatch (CAD) system. Different variations of the “Burnside” name currently exist among several City agencies as “W. Burnside,” “West Burnside,” “Burnside,” “Burnside Avenue,” and “Burnside Street.” The United States Postal Service recognizes the street name as “Burnside Street;” JEA recognizes the street name as “Burnside.” Adding the street type to change “Burnside” to “Burnside Street” eliminates confusion and allows for the precise location of properties. The street name change affects the address assignment of one property owner who has met with the 911 Emergency Addressing Advisory Committee.

Policy Impact: Planning & Development Department/911 Emergency Addressing Advisory Committee

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-350

Sponsor: Council President pursuant to Chapter 380, *Ordinance Code*:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2016

Type of Action: Granting Certificate of Public Convenience and Necessity (CON)

Bill Summary: The ordinance grants the application of Masters Road, LLC for an initial Certificate of Public Convenience and Necessity for the Masters Road, LLC Florida Roads Clean Concrete Recycling Facility; provides for conditions of said certificate.

Background Information: The facility is located at 3570 Masters Road, Jacksonville, Florida 32226. The criteria for the conditions for the certificate to operate the facility are pursuant to Section 380.105, *Ordinance Code*. Those condition address such issues as entrance sign, authorized materials, facility capacity, compliance, personnel training, site security, performance bond, monthly report, host fees, storage, sanitary conditions, operating hours, odors, spill control, emergency management plan, scales, noise control, litter control, wastewater and sewage disposal/treatment, other permits and accuracy of information. The Public Works Department, the Planning and Development Department, the Florida Department of Health and the Environmental Quality Division recommends approval of the application.

Policy Impact: Public Works/Solid Waste/Certificates of Public Convenience and Necessity

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-351

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2016

Type of Action: Conveyance of Temporary Construction Easement

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute in accordance with Section 122.421 (b), *Ordinance Code*, a Temporary Easement granting to the Florida Department of Transportation (FDOT) a Temporary Construction Easement in, over and under Parcel 703A, which touches Council Districts 8 and 10, lies entirely within the right-of-way of Howell Drive, and contains 2.335 acres, and Parcel 703B, which is in Council District 10, lies entirely within the right-of-way of Howell Drive and Ribault Scenic Drive, and contains 2.095 acres, both needed by FDOT for the replacement of the bridge on Howell Drive near its intersection with Ribault Scenic Drive, together with all documentation necessary to convey said Temporary Construction Easement.

Background Information: The temporary construction easement is needed by the Florida Department of Transportation for the replacement of the bridge on Howell Drive near its intersection with Ribault Scenic Drive.

Policy Impact: Public Works

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-352

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2016

Type of Action: Easement Authorization

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute in accordance with Section 122.421(b), *Ordinance Code*, a temporary easement granting to the Florida Department of Transportation (FDOT) a temporary construction easement in, over, and under parcels 705A and 705 B, lying entirely within the right-of-way of Firestone Road north and south of its intersection with 103rd Street and needed by FDOT to add a dedicated left turn lane to Firestone Road north of 103rd Street, together with all documentation necessary to convey said temporary construction easement.

Background Information: The parcels contain 31,929 square feet. In addition to adding a dedicated left turn lane, the temporary construction easement is for the purpose of tying in and harmonizing the property and the driveways and walkways. The easement shall be for a period of forty-eight (48) months commencing on the date that the FDOT becomes the owner of the easement.

Policy Impact: Public Works

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-353

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2016

Type of Action: Easement Conveyance

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary too execute in accordance with Section 122.421(b), *Ordinance Code*, a temporary easement granting to the Florida Department of Transportation (FDOT) a temporary construction easement in, over, and under Parcel 701, which lies entirely within RE # 056310-0000, owned by the City of Jacksonville and used as a retention pond, and needed by FDOT for the replacement of the bridge on Edison Avenue over McCoy's Creek, together with all documentation necessary to convey said temporary construction easement.

Background Information: It is necessary to grant this temporary construction easement to FDOT. The temporary construction easement is needed for the replacement of the bridge on Edison Avenue over McCoy's Creek.

Policy Impact: Public Works

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-354

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 24, 2016

Committee(s) of Reference: TEU

Date of Analysis: May 27, 2016

Type of Action: Authorization for Lease Renewal

Bill Summary: The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Sovereignty Submerged Lands Easement Renewal (BOT File No. 160680272) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for Hogan Bridge over Pottsburg Creek, used solely for public transportation purposes, for a term of fifty years at no cost.

Background Information: Pottsburg Creek is located in Council District 4. The original Sovereignty Submerged Lands Easement was granted in June 1983. The Board of Trustees of the Internal Improvement Trust Fund consists of the Governor, Attorney-General, Agriculture Commissioner and the Chief Financial Officer.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-355

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, TEU

Date of Analysis: May 26, 2016

Type of Action: Authorization to execute contract extension; designation of oversight agency

Bill Summary: The bill authorizes the Mayor to execute a contract between the City and the Florida Department of Environmental Protection for the City to operate a gasoline storage tank clean-up program on behalf of the FDEP for a period of 5 years through June 2021.

Background Information: The new contract is an extension of the agreement that has been in place between the City and the FDEP for 25 years under which the City's Environmental Quality Division operates the gasoline storage tank clean-up program on behalf of the FDEP. The EQD inspects gasoline tank sites where leaks have been detected and oversees the development and implementation of site clean-up plans. The City is reimbursed on an annual basis by FDEP for services provided on the basis of an annual appropriation by the Florida Legislature for the purpose.

Policy Impact Area: Environmental protection and clean-up

Fiscal Impact: The EQD anticipates being reimbursed approximately \$1.58 million by the FDEP for overseeing work at 658 sites in the city.

Analyst: Clements

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Bill Type and Number: Ordinance 2016-0356

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: LUZ

Date of Analysis: May 20, 2016

Type of Action: Approval of proposed large scale revision to FLUM Series of 2030 Comp Plan

Bill Summary: This bill approves the proposed revisions and modifications of the 2030 Comprehensive Plan to change the future land use designation from Light Industrial (LI) to Low Density Residential (LDR); and provides a disclaimer that the amendment granted herein shall not be construed as an exemption from any other applicable laws.

Background Information: The proposed change in Application Number 2016A-002 is for approximately 278.85± acres of land located at 0 New Berlin Road and 0 Alta Drive between Interstate 295 and Cedar Point Road in Council District 2. The property is owned by First Citizens Bank & Trust Company.

The Planning and Development Department, Planning Commission, and Land Use & Zoning Committee provided appropriate public hearings and information sessions with due notice. Each entity provided recommendations to the Council in support of the transmittal based on all the written and oral comments received. The proposed revision will be transmitted through the State's expedited review process to the appropriate State agencies. All local, state or federal permits or approvals must be obtained before commencement of the development or use and issuance of this revision to be operated in strict compliance.

Policy Impact Area: Planning and Development Department, 2030 Comprehension Plan

Fiscal Impact: Undetermined

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-0357

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 20, 2016

Type of Action: *Ordinance Code* amendment

Bill Summary: This bill amends Section 90.101 (Board of Library Trustees), Chapter 90 (Board of Library Trustees), *Ordinance Code* to change the expiration date from July 15 to September 30 of a Board members' term in office.

Background Information: The Board of Trustees consists of 12 voting members appointed by the Mayor, the City Council President or designee, and the Superintendent of Schools or designee. Each voting member serves a four year term or until a successor has been confirmed. The terms of office are staggered so that three (3) members are appointed every year.

In the past, the Board has faced challenges with the expiration of terms of July 15 during the preparation of the budget process. The Board will vote during their meeting on June 6, 2016 on modifying the expiration date to September 30. The change in date will coincide with the end of the City's fiscal year to maintain efficiency during the budget process.

Policy Impact Area: Jacksonville Public Library, *Ordinance Code*

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-358

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 26, 2016

Type of Action: Authorization to execute budget forms

Bill Summary: The bill authorizes the Finance Director to execute budget forms on behalf of the City Council with the Florida Department of Agriculture and Consumers Services (FDACS) relating to arthropod (mosquito) control funding.

Background Information: FDACS provides annual funding to the City for the purpose of supporting the mosquito control activity and requires the submission of budget forms if any changes are made to the Mosquito Control Division budget in mid-year after the annual adopted budget has been sent to the state. Those forms are required to be signed by either the Chair of the Board of County Commissioners (our President of City Council) or by the Clerk of the Courts unless the county governing body has designated another officer to execute the documents. This ordinance designates the Director of Finance and Administration as the City Council's designee to execute these mid-year budget documents.

Policy Impact Area: Designation of signature authority

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2016-359

Sponsor: Council Member Gulliford:

Date of Introduction: May 24, 2016

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

Date of Analysis: May 2, 2016

Type of Action: Ordinance Amendment

Bill Summary: The ordinance amends Chapter 122 (Public Property), creating a new Section 122.110 (Skateboarding on Public Property), *Ordinance Code*, so as to prohibit skateboarding on City sidewalks in certain areas, public parking garages and public access ramps, and certain other public property; it recognizes the exercise of County powers.

Background Information: This ordinance amendment is proposed to curb damage to public buildings, concrete steps, benches, walls, parking barriers and other public improvements caused by the inappropriate operation of skateboards. The new Ordinance Code section would make unlawful for any person to operate a skateboard in or upon locations such as: public sidewalks and walkways within the Downtown Overlay Zone; public property owned or controlled by the City including parks, community centers and fire stations; any public parking garage, including the access/egress ramp; on any public access ramps for persons with disabilities providing pedestrian access to a building; within the boundaries of a sidewalk café or within an area which has received a street closure permit for an event. Penalties are fines: First offense - \$25.00; second offense - \$50.00; third offense - \$100.00; Fourth and subsequent offenses, per offense - \$150.00.

Policy Impact: Ordinance Code; Skateboarding; public property.

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2016-360

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 26, 2016

Type of Action: Ordinance Code amendment; emergency action request

Bill Summary: The bill amends Ordinance Code Chapter 602 – Jacksonville Ethics Code – to delete the language prohibiting the Inspector General from having been employed by the City or a governmental entity subject to the IG’s office’s jurisdiction (except for working in the IG’s office itself) during the two years immediately prior to selection as the Inspector General. Emergency passage of the ordinance on first reading is requested.

Background Information: The Inspector General has recently resigned and the Inspector General Selection and Retention Committee is beginning the selection process for a new IG. The emergency is requested to allow the job to be posted as quickly as possible with the goal of filling the vacancy by early in the next fiscal year. The IG Selection and Retention Committee voted unanimously in favor of the amendment in order to broaden the pool of potential job applicants.

Policy Impact Area: Inspector General qualifications

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2016-0361

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 23, 2016

Type of Action: Appropriation

Bill Summary: This bill appropriates \$200,000.00 to the Spray and Neuter Rebate Trust Fund to cover the expenses of life saving operations and programs along with spray and neuter services for animals in Duval County.

Background Information: The Petco Foundation was founded in 1999, formalizing Petco's longstanding commitment to animal welfare. As one of the nation's largest funders of animal welfare causes, the Petco Foundation holds a responsibility and obligation to invest funds wisely in organizations that achieve their mission and vision of raising the quality of life for pets and people who love and need them. Petco Foundation offers a grant to providers with a primary mission to spray and neuter.

Animal Care and Protective Services Division was awarded the grant investment from Petco Foundation for \$200,000.00. The award will be paid in two installments of \$100,000.00 on or before May 1, 2016, and May 1, 2017. The investment will provide for Animal Care and Protective Services Division to offer lifesaving services at subsidized rates, including free services, to individuals seeking services for any pet in need.

Policy Impact Area: Neighborhoods Department/Animal Care & Protective Services

Fiscal Impact: The appropriation of \$200,000.00 as initiated by B.T. 16-076.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-0362

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 23, 2016

Type of Action: Appropriation

Bill Summary: This bill appropriates \$353,164.00 from U.S. Department of Homeland Security to Environmental Quality Division (EQD) to allow EQD to conduct air monitoring studies within Duval County.

Background Information: Environmental Quality Division administers and monitors the City of Jacksonville's air and water resource management activities, with particular emphasis on pollution control issues. It also enforces laws related to environmental quality issues.

The United States Environmental Protection Agency (EPA), Office of Air Quality Planning and Standards (OAQPS) is responsible for setting standards, also known as National Ambient Air Quality Standards (NAAQS), for pollutants which are considered harmful to people and the environment. OAQPS monitors for criteria pollutants through programs such as the Ambient Air Monitoring Program that collect air quality samples to judge attainment of ambient air quality standards, to prevent or alleviate air pollution emergencies, to observe pollution trends throughout regions, and to evaluate the effects of urban, land-use, and transportation planning relating to air pollution.

The appropriation covers the expense of two full-time civil service employees (Environmental Scientist Supervisor and Environmental Specialist) assigned to perform various air pollution monitoring test within Duval County. Both positions are required to be reauthorized for the grant period July 1, 2016 through June 30, 2017. The total budget is comprised on \$307,467 from FY2016 funds and \$45,694 from previously obligated funds.

Policy Impact Area: Neighborhoods Department/Environmental Quality Division

Fiscal Impact: The appropriation of \$353.164.00 as initiated by B.T. 16-077.

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-363

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, TEU

Date of Analysis: May 26, 2016

Type of Action: Authorizing execution of option agreement for sale or lease of property; designation of oversight agency

Bill Summary: The bill authorizes execution of an option agreement for sale or lease of property between the City and the Jacksonville Port Authority which permits the City to issue requests for qualifications (RFQs) and requests for proposals (RFPs) for Jaxport-owned land in Mayport. The Office of Economic Development is designated as the City's oversight agency for the agreement.

NOTE: Exhibit A (property description) to Exhibit 1 (option agreement) was not attached at the time of introduction.

Background Information: The option agreement is for a term of nearly 5 years from May 2016 through March 2021 and grants the City the non-exclusive option to locate and obtain a developer to purchase or lease the parcels of JPA property, subject to a more definitive future agreement among the selected developer, the City and Jaxport regarding the use of the property(s). Jaxport retains the right to identify and obtain a potential developer for the property during the option period. The properties in question were acquired by the JPA as part of its plan several years ago to develop a cruise ship terminal in Mayport, a plan that has since been abandoned. The option agreement permits the City's Office of Economic Development to partner with JPA in finding a developer for the property and bringing a project to fruition.

Policy Impact Area: Mayport area redevelopment

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2016-364

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F

Date of Analysis: May 26, 2016

Type of Action: Appropriation; approval of legal settlement

Bill Summary: The bill approves a legal settlement agreement and appropriates \$114,000 from the General Fund – GSD Fund Balance account to the Office of General Counsel’s Judgements, Claims and Losses over \$50,000 account to pay the legal fee settlement costs arising from the case of *Frank Denton v. Mayor Alvin Brown, the City of Jacksonville and the Jacksonville Police and Fire Pension Fund Board of Trustees*.

Background Information: The legal fees arise from the lawsuit filed by Mr. Denton, Editor of the *Florida Times-Union*, against the City and the Police and Fire Pension Fund Board of Trustees alleging that the parties negotiated certain pension plan benefits outside of properly noticed public meetings in violation of the Florida Government in the Sunshine Act. The court found for the plaintiff, the First District Court of Appeal upheld that finding, and the Florida Supreme Court denied a motion by the PFPF Board to hear the case on appeal. Mr. Denton has since filed a claim for attorney’s fees and litigation costs and the parties have negotiated a settlement agreement in the amount of \$114,000 from the City, subject to City Council approval and the appropriation of the funds for the settlement, and \$156,000 from the Police and Fire Pension Fund Board of Trustees. This bill approves the settlement of the *Denton* case and appropriates the City’s \$114,000 from the General Fund/GSD Fund Balance account. In addition to approval of the settlement of the case itself, City Council approval is required for a legal settlement exceeding \$50,000.

Policy Impact Area: Legal settlement

Fiscal Impact: The bill \$114,000 from the General Fund – GSD Fund Balance account to the Office of General Counsel’s Judgements, Claims and Losses over \$50,000 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2016-365

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F

Date of Analysis: May 26, 2016

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 126 – Procurement Code – in Part 6A – Small Business Capital, Bonding and Outreach Program – to remove references to participation by private lending institutions and to remove references to the Office of the Ombudsman gathering information and working to ensure that Jacksonville Small and Emerging Businesses (JSEBs) are receiving assistance. It deletes the requirement for the Director of the Office of Economic Development (OED) to provide the Mayor and Council Auditor with biannual reports on the number and size of businesses being assisted, the nature of the assistance, and the nature and dollar value of contracts awarded to assisted businesses and replaces it with a requirement for the OED to report quarterly to the JSEB Administrator and JSEB Monitoring Committee on activity in the Access to Capital program and to post such reports on the OED web site. The bill deletes a requirement for the OED Director to hold biannual open houses or workshops to provide information and showcase assets available through the Access to Capital program and provides instead that the OED staff shall, upon request by the JSEB Administrator, attend workshops to inform potential JSEBs about the program.

Background Information:

Policy Impact Area: Access to Capital program administration

Fiscal Impact: Minimal

Analyst: Clements

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Bill Type and Number: Ordinance 2016-0366

Introducer/Sponsor(s): Council Member Love

Date of Introduction: May 24, 2016

Committee(s) of Reference: LUZ

Date of Analysis: May 23, 2016

Type of Action: Amending *Ordinance Code*

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 1 (General Provisions), Subpart C (Procedures for Rezoning and Amendments to the Zoning Code) and Part 3 (Schedule of District Regulations), Subpart O (Riverside/Avondale Zoning Overlay), *Ordinance Code* to:

- to specify applicability of the Riverside/Avondale Overlay to all Zoning Districts, including Planned Unit Development Districts (PUD),
- to specify types of negative effects to a character area when evaluating an application for rezoning,
- identify additional intent and purpose of creating the overlay and defining the character areas,
- provide parking requirements within the Historic Residential Character Areas and limitations on nonconforming site characteristics, and
- require all rezonings to PUD to contain a residential component and be situated upon at least 2 acres of contiguous land for all character areas.

Background Information: The amendment prevents misinterpretation of the Riverside/Avondale Overlay, includes additional language to address parking requirements within the Character Areas, and specifies the intent of Character Area designations.

Policy Impact Area: Planning & Development Department, Planning Commission, *Ordinance Code*

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-0367

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: May 24, 2016

Committee(s) of Reference: LUZ

Date of Analysis: May 23, 2016

Type of Action: Amending *Ordinance Code*

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 3 (Schedule of District Regulations), Subpart F (Planned Unit Development), Section 656.340 (Planned Unit Development-PUD), Section 656.341 (Procedures), *Ordinance Code*, and Subpart M (San Marco Overlay Zone), Sections 656.399.4, 656.399.6, and 656.399.7 to clarify that any proposed or amended existing Planned Unit Development (PUD) within the San Marco Overlay Zone is prohibited from waiving or altering any standard or requirement set out in the San Marco Overlay Zone.

Background Information: The amendment prevents misinterpretation of the San Marco Overlay Zone; outlines the specific content which shall be included in the written description of the intended plan of development; and includes additional language to address lot aggregation, subdivisions and development standards.

Policy Impact Area: Planning & Development Department, Planning Commission, *Ordinance Code*

Fiscal Impact: None

Analyst: Mitchell

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2016-0368

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: May 24, 2016

Committee(s) of Reference: LUZ

Date of Analysis: May 23, 2016

Type of Action: Amending *Ordinance Code*

Bill Summary: This bill amends Chapter 656 (Zoning Code), Part 6 (Off-Street Parking and Loading Regulations), Subpart A (Off-Street Parking and Loading for Motor Vehicles), Sections 656.603, 656.604, And 656.607, *Ordinance Code* to clarify the use of parking credits.

Background Information: The amendment adds language to “existing use” and “nonconforming use” to provide clarity when comparing a perceived existing use versus a proposed use. Specifics were added to regulate the enlargement or extension of facilities in a non-conforming use as it pertains to off-street parking in addition to the impact of ceased use for less than or more than 24 months in regards to bringing the non-conforming use compliant with parking standards. The subsection about credit for actual spaces in an existing use was modified to prevent misinterpretation of the *Ordinance Code*.

Policy Impact Area: Planning & Development Department, Planning Commission, *Ordinance Code*

Fiscal Impact: None

Analyst: Mitchell

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Bill Type and Number: Ordinance 2016-369

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 26, 2016

Type of Action: Grant of air rights easement; designation of oversight agency

Bill Summary: The bill authorizes execution of a an Air Rights Easement between the City and Baptist Health Properties, Inc. and Southern Baptist Hospital of Florida, Inc. to allow construction of an elevated pedestrian walkway over San Marco Boulevard to connect Baptist Medical Center's existing Reid Medical Building on the east side of the boulevard to the new M.D. Anderson Cancer Center to be constructed on the west side of the boulevard at the intersection of Nira Street. The Planning and Development Department is designated as the City's oversight agency for the project.

Background Information: The enclosed pedestrian bridge will be elevated a minimum of 20 feet above San Marco Boulevard and the air rights easement requires that at least 60% of the side walls of the structure must be transparent so as to prevent an excessive shadow effect. The term of the easement is for as long as Baptist Health uses the easement for purposes of a pedestrian bridge and expires if the permitted use ceases for 360 consecutive days, as evidenced by the removal of all improvements from the easement by Baptist Health.

Policy Impact Area: Air rights easement

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2016-370

Introducer/Sponsor(s): Council Member Bowman

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, R

Date of Analysis: May 26, 2016

Type of Action: Authorization for voter referendum

Bill Summary: The bill authorizes a voter referendum to be held on the November 8, 2106 general election ballot to determine whether the voters approve or disapprove of allowing slot machine gaming by persons age 21 and older at licensed pari-mutuel facilities within Jacksonville. The Supervisor of Election is instructed to place the referendum on the November 8th general election ballot and to publicize the referendum by the publication of at least two newspaper advertisements in the manner required by law. The bill provides that, if the referendum is approved by the voters, the City Council shall, by subsequent action, adopt legislation necessary and appropriate to implement the referendum and authorize slot machine gaming in licensed pari-mutuel facilities, including a provision for payment of 1.5% of gross revenues from slot machine gaming to the City.

Background Information: In 2004 the voters of Florida approved a constitutional referendum authorizing the use of slot machines at certain Miami-Dade and Broward County pari-mutuel facilities, if approved by local voter referendum. Some seemingly ambiguous language in a state law enacted in 2009 by the legislature has caused some to believe that the law opens the door to the introduction of slot machines in state-licensed pari-mutuel gaming facilities in any county that approves of slot machines via referendum. The First District Court of Appeals first ruled that the state law does authorize slot machine approval referenda outside of Miami-Dade and Broward Counties but later reversed itself, ruled that the law does authorize such referenda outside of Miami-Dade and Broward Counties, and referred the case to the Florida Supreme Court for a final ruling on the question. Oral arguments on the case will be heard June 7th.

Policy Impact Area: Pari-mutuel gaming

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2016-371

Introducer/Sponsor(s): Council Members Newby, Becton, Bowman, Lopez Brosche and Dennis

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 26, 2016

Type of Action: Requirement for annual policy review by Council President

Bill Summary: The bill would require each City Council President to at least annually review and potentially revise the President's executive policy on electronic communications during meetings and to publicize any changes to the policy to the full council.

Background Information: Council President Anderson promulgated an executive policy in March prohibiting council members from receiving and responding to electronic text messages during council meeting and requiring members to disclose on the record any communications they may have received during meetings from registered lobbyists or representatives of collective bargaining units. The President appointed a Special Committee on Electronic Texting which considered a number of potential options for prohibiting, controlling or requiring disclosure of electronic communications received during meetings. In the end the committee voted to introduce a resolution calling on each Council President to at least annually, or as often as necessary, review and potentially revise the current executive policy on electronic communications to address changing technologies and to ensure that public confidence in the integrity of the legislative process is maintained by the policy.

Policy Impact Area: City Council communications policy

Fiscal Impact: None

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2016-374

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Tameka G. Holly, as a member of the Public Service Grant Council with grant experience, replacing Autumn L. Tomas for an unexpired term ending December 31, 2016, followed by a first full three-year term ending December 31, 2019.

Background Information: The Public Service Grant Council is established pursuant to Chapter 118, *Ordinance Code*, and charged with the review and evaluation of all Public Service Grant applications and responsibility for making funding recommendations to the Mayor and City Council for Public Service Grants. Section 118.803, *Ordinance Code*, provides that seven of the members shall be appointed by the Mayor and confirmed by City Council, including two appointees with prior experience with grant processes.

Ms. Holly received a master's degree in public health from the University of North Florida and is the President and CEO of *Tameka Gaines Holly, LLC*. She resides in the College Park area within Council District #8.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION
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Bill Type and Number: Resolution 2016-375

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Robert P. Skalitzky as the Chief of the Natural and Marine Resource Division with the Parks, Recreation and Community Services Department.

Background Information: Section 28.402, *Ordinance Code*, provides that the Chief of Natural and Marine Resource shall have a bachelor's degree or higher from an accredited college or university and at least five years of management or executive experience in natural resource recreation.

Mr. Skalitzky received a bachelor's degree in forest management from the University of Wisconsin. His prior employment includes 20 years with the Oconto County, WI Forest, Parks and Recreation Department.

Policy Impact Area: Parks, Recreation and Community Services Department / Natural and Marine Resource operations

Fiscal Impact: According to Employee Services, the salary range for this position is \$70,566 - \$115,210 annually.

Analyst: Merritt

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Bill Type and Number: Resolution 2016-376

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of JaMario Stills as a member of the Art in Public Places Committee, filling the seat formerly held by Christopher Flagg as a Cultural Council representative, for a first term ending December 31, 2018.

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 11 members of the committee are appointed by the Mayor and confirmed by the Council, with three of the members representing the Cultural Council Board.

Mr. Stills received a bachelor's degree in theatre from The Julliard School and is the Director of Development with *The Performers Project*. He serves on the board of the Cultural Council of Greater Jacksonville and resides in the Riverside area within Council District #14.

Policy Impact Area: Art in Public Places Committee operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2016-377

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Ronnie E. King, II as a member of the Board of Library Trustees, as an At-Large, Group 3 representative, for a second four-year term ending September 30, 2020.

Background Information: The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of the library services. Section 90.101, *Ordinance Code*, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Mr. King received a bachelor's degree in computer science from the University of North Florida and is a Claims Application Lead with *Main Street America Group*. He has served on the Library Board since July 2012 and resides in Council District #11 (At-Large, Group 3).

NOTE: Pending Ordinance 2016-357 amends Section 90.101, *Ordinance Code*, to change the term end date for the members of the Board of Library Trustees from July 15th to September 30th as provided in this appointing legislation.

Policy Impact Area: Library Board of Trustees operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2016-378

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Mario J. Payne as a member of the Board of Library Trustees, as an At-Large, Group 1 representative, for a first full four-year term ending September 30, 2020.

Background Information: The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of library services. Section 90.101, *Ordinance Code*, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Mr. Payne is a certified financial planner with *Raymond James Financial, Inc.* He has served on the Library Board since April 2015 and resides within Council District #7 (At-Large, Group 1).

NOTE: Pending Ordinance 2016-357 amends Section 90.101, *Ordinance Code*, to change the term end date for the members of the Board of Library Trustees from July 15th to September 30th as provided in this appointing legislation.

Policy Impact Area: Library Board of Trustees operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2016-379

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Guy K. Anderson as a member of the Board of Library Trustees, as an At-Large, Group 4 representative, for a second four-year term ending September 30, 2020.

Background Information: The Library Board of Trustees is established pursuant to Chapter 90, *Ordinance Code*, and charged with the authority to receive, accept and exercise control over funds, property, gifts, legacies or devises now or hereafter granted to the library or its predecessor libraries and agencies for the purpose of establishing and maintaining a free public library in and for the Consolidated Government and its citizens and the responsibility for the administration of Chapter 662 and the provision of the library services. Section 90.101, *Ordinance Code*, provides that the voting members of the board shall be appointed by the Mayor and confirmed by the Council, with two each from the five At-Large Council Districts.

Mr. Anderson received a bachelor's degree in chemistry and biology from Trinity College and is a utility and power energy consultant. He has served on the Library Board since March 2013 and resides in the San Marco area within Council District #5 (At-Large, Group 4).

NOTE: Pending Ordinance 2016-357 amends Section 90.101, *Ordinance Code*, to change the term end date for the members of the Board of Library Trustees from July 15th to September 30th as provided in this appointing legislation.

Policy Impact Area: Library Board of Trustees operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

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Bill Type and Number: Resolution 2016-380

Sponsor: Council President Anderson

Date of Introduction: May 24, 2016

Committee(s) of Reference: R

Date of Analysis: May 19, 2016

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Council President's appointment of Dina J. Vickers, to the Health and Life Insurance Procurement Committee, filling the seat formerly held by Curtis W. Hartin.

Background Information: Section 33.301(c), *Ordinance Code*, provides for a committee to ensure the efficient and effective procurement of health and life insurance for the benefit of the City and its employees. The membership of the committee includes two individuals with insurance experience appointed by the Council President.

Ms. Vickers received a master's degree in healthcare administration from the University of St. Francis and is the CFO with *St. Vincent's Health System*. She resides in Jacksonville Beach within Council District #13.

Policy Impact Area: Employee health and life insurance benefits procurement

Fiscal Impact: Anticipated to be minimal.

Analyst: Merritt

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2016-381

Introducer/Sponsor(s): Council President at the request of Council Members Boyer, Brosche, Carter and Newby and co-sponsored by Council Member Crescimbeni

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RDCPHS

Date of Analysis: May 26, 2016

Type of Action: Expression of support

Bill Summary: The bill expresses the Council's support for an application by the North Florida Transportation Planning Organization (TPO) for state SunTrail grant funding to support construction of additional segments of the Timucuan Trail in the northeast corner of the city.

Background Information: The North Florida TPO has ranked construction of additional portions of the Timucuan Trail (3 phases totaling \$13.5 million) as its number one priority for SunTrail grant funding. SunTrail (standing for Shared-Use Non-Motorized Trail Network) was created by the Florida Legislature to provide competitive grant funding to paved, non-motorized trails to be added as component of the Florida Greenways and Trails System, at a rate of \$25 million per year funded by vehicle tag revenues.

Policy Impact Area: Recreational facility development

Fiscal Impact: The total cost of remaining phases of the Timucuan Trail is \$13.5 million.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2016-382

Introducer/Sponsor(s): Council President at the request of Council Members Crescimbeni, Anderson, Brosche, K. Brown and Schellenberg

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RDCPHS

Date of Analysis: May 26, 2016

Type of Action: Adopting new Public Investment Policy

Bill Summary: The bill approves a new Public Investment Policy for economic development assistance programs and incentives, replacing the former Public Investment Policy adopted in 2006 and amended in 2012.

Background Information: The new Public Investment Policy (PIP) is a result of more than a year of work by the Special Committee on Economic Development Incentives, reviewing and debating incentive program proposals developed by the Office of Economic Development and the Downtown Investment Authority. The new PIP refines some existing programs, eliminates references to enterprise zones (which were recently eliminated by state law), and adds several new types of targeted incentives (i.e. a Disabled Veterans Hiring Bonus, a Local Training Grant and a Closing Fund). Refinements to existing programs include development of variable incentive levels in some programs based on levels of economic distress (Tier 1 and Tier 2) at the census tract level as determined by the tract's unemployment rate and level of median household income. Programs with varying incentive levels based on Tier 1 and Tier 2 economic distress measures are the Recapture Enhanced Value (REV) grant, the Façade Renovation Grant program (outside of the downtown area), and the Economically Distressed Area Targeted Industry program.

Policy Impact Area: Economic development

Fiscal Impact: Undetermined.

Analyst: Clements

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Bill Type and Number: Ordinance 2016-383

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F

Date of Analysis: May 26, 2016

Type of Action: Authorization to execute lease amendment; designation of oversight agency

Bill Summary: The bill authorizes the execution of a 6th amendment to the amended and restated lease between the City and the Gator Bowl Association for use of EverBank Field for a college football game between the Naval Academy and University of Notre Dame on the same terms and conditions as agreed to by the parties for the TaxSlayer.com Bowl game. The Office of Sports and Entertainment is designated as the City's oversight agency for the contract.

Background Information: The game is scheduled to be played in Jacksonville on November 5, 2016. The parties agree that in general the terms of the agreement between the City and the Association for conduct of the annual TaxSlayer.com Bowl will be in effect, except for certain specific amendments: a) the City agrees to designate the Navy/Notre Dame game as a "City-designated event" as defined in the lease with the Jacksonville Jaguars; b) the City releases to the Association 4 additional suites provided to the City by the Jaguars pursuant to their lease; c) the Association will pay the City \$95,000 in base rent; d) the City will bear the costs of operating the stadium on game day (field preparation, security, ushers, ticket-takers, scoreboard operators, concessions, emergency personnel, police, fire, traffic control, etc.) in an amount not to exceed \$350,000; e) the City agrees to install at its cost approximately 3,500 temporary seats in the Club seating areas to replace the seats being removed by the Jaguars pursuant to their latest stadium improvement agreement with the City; f) the City shall provide all parking personnel on game day; the Association shall pay the City \$3 per parking space used and shall retain the rest of the parking revenue; g) concession operations and revenues are subject to the Pre-Existing Rights of the Jaguars under their stadium lease and concession revenues will be apportioned among the parties consistent with the lease agreement for the TaxSlayer.com Bowl; h) the City releases to the Association all rights to licensing and all revenues from programs and merchandise sales, subject to the Jaguars' Pre-Existing Rights; i) the City releases to the Association all rights to operations and revenues from scoreboards and signage, subject to the Jaguars' pre-existing rights; the Association will provide the City with signage and logo placement within the stadium and on the scoreboards and with four 30-second commercials on the video boards; j) the City is entitled to the usual \$1.25 ticket user fee for each ticket sold; the City releases to the Association all revenues from ticket sales (except the ticket user fee), television rights, title sponsor rights, uncommitted concession revenues and net parking revenues, which may be made available to the two universities. The Association agrees to provide the City with 100 game tickets, 50 parking passes, 50 pre-game hospitality passes and 24 tickets to the City's suite.

Policy Impact Area: EverBank Field lease amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2016-385

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

Date of Introduction: May 24, 2016

Committee(s) of Reference: F, RCDPHS

Date of Analysis: May 26, 2016

Type of Action: Appropriation; authorization of contract amendment

Bill Summary: The bill appropriates \$150,000 from the Special Council Contingency – Hemming Park account to the Department of Parks, Recreation and Community Services – Hemming Park account to provide funding to 13-JAX, Inc. (d/b/a Friends of Hemming Park) for the operation and management of the park for the remainder of the current fiscal year. The bill authorizes execution of a Third Amendment to Contract for the Operation of Hemming Plaza between the City and Friends of Hemming Park to increase the City's maximum indebtedness amount from \$1.1 million to \$1.25 million and to provide that the current \$150,000 appropriation shall be used solely to fund operational expenses as listed on Exhibit A (administration and management, cleanliness and safety, programming and marketing).

Background Information: The bill is introduced as an alternative/companion to Ordinance 2016-198 which, as introduced, would have appropriated \$250,000 from the Special Council Contingency – Hemming Park to for park operational expenses. Subsequent to the introduction of 2016-198, Friends of Hemming Park reached agreement with Community First Credit Union on a \$250,000 naming rights agreement for an improved stage structure to be constructed in the park which prompted discussion in the committees about the state of FOHP's budget and the allocation of funds for operational versus capital construction purposes. Ordinance 2016-198 was amended before adoption to appropriate \$100,000 to FOHP for park operational purposes through the end of June and this bill is introduced to deal with the other \$150,000, the use of which can be better determined once the Mayor's FY16-17 budget proposal is presented to Council in mid-July and the Mayor's recommended funding level for Hemming Park for next year is known.

Policy Impact Area: Hemming Park operations

Fiscal Impact: The bill appropriates \$150,000 from the Special Council Contingency – Hemming Park account to the Department of Parks, Recreation and Community Services – Hemming Park account.

Analyst: Clements