

**CITY COUNCIL RESEARCH DIVISION**  
LEGISLATIVE SUMMARY



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**Bill Type and Number:** Resolution 2007-497

**Sponsor:** LUZ Committee

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Transmittal of Comprehensive Plan text amendment to Florida Department of Community Affairs

**Bill Summary:** The bill approves transmittal of a proposed 2010 Comprehensive Plan text amendment to the Florida Department of Community Affairs for review and comment. The amendment adopts a new Public Schools Facilities Element to the city's comprehensive plan, comprising 3 goals, 9 objectives, and 73 policies. The transmittal also includes proposed amendments to the Comp Plan's Intergovernmental Coordination Element and Capital Improvement Element regarding school concurrency, levels of service, and construction of school facilities to carry out the objectives and policies described in the Public Schools Facilities Element.

The transmittal to DCA also includes a draft of a revised Interlocal Agreement between the City and the School Board, which will be submitted to the Council for final adoption at a later date.

**Background Information:** An amendment to the State's growth management regulations passed by the legislature in 2005 requires local governments to adopt a public schools facilities element to their comprehensive plans; previously public education elements had been optional. State law also requires that counties and their school districts enter into an interlocal agreement to coordinate population projections, school siting decisions, and provision of infrastructure required to serve the development of school properties. The new Interlocal Agreement would replace the current agreement that has been in place for several years.

**Policy Impact Area:** Comprehensive Plan amendments

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-504

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$102,790.62 (a grant of \$88,249.62 from the Department of Elder Affairs (DOEA)/Northeast Florida Area Agency on Aging, Inc. and a \$14,541.00 match from the City of Jacksonville) to continue the relief in-home project of the Independent Living Program. The program will support 12,734 hours of evening respite for caregivers and companionship services for eligible elderly citizens in Duval County, as initiated by B.T. 07-131. There is a provision for a carryover of funds to Fiscal Year 2007-2008. The bill appropriates up to twenty percent (20%) of the grant in the event that additional grant funds are secured. The bill approves position changes in the Community Services Department, as initiated by R. C. 07-675.

**Background Information:** This is a continuation grant. The program is designed to provide respite and relief for caregivers and companions that spend time with eligible elderly citizens in the County. The RELIEF (Elderly Living in Everyday Families) program impacts 40 to 50 frail seniors.

**Policy Impact:** Community Services Department/Adult Services Division/Independent Living Program-RELIEF Program

**Fiscal Impact:** The bill appropriates \$102,790.62 (\$88,249.62 in a state grant; a City match in the amount of \$14,541.00)

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-505

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$28,926.57 from a United States Department of Justice grant to reimburse a portion of the funds spent by the Sheriff's Office on body armor.

**Background Information:** The grant is from the Bulletproof Vest Partnership Program. Information from the Office of the Sheriff states that there is no local match.

**Policy Impact Area:** Office of the Sheriff

**Fiscal Impact:** \$28,926.57 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-506

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation; CIP amendment; authorization to execute contract with FDOT

**Bill Summary:** The bill appropriates \$530,000 in Florida Department of Transportation funding for the construction of trails and trail support facilities at the Cecil Field Natural and Recreation Corridor-South. The bill also amends the 2006-11 Capital Improvement Program to authorize priority 1 status for the project. The bill authorizes the administration to execute a Local Agency Program Agreement with the FDOT for receipt of the funds and construction of the trail facilities.

**Background Information:** Construction on the project is due to be completed in the fall of 2007. A portion of the Cecil Field property acquired from the Navy has been dedicated to conservation and passive recreation purposes. The trail will allow the public to access this portion of the property for hiking and biking.

**Policy Impact Area:** Recreational improvement

**Fiscal Impact:** The bill appropriates \$530,000 in FDOT funding

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-507

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation; CIP Amendment; Local Agency Agreement Approval

**Bill Summary:** This ordinance appropriates \$636,000 from the Florida Department of Transportation (FDOT) for the construction of trails and trail support facilities at Cecil Field Natural and Recreation Corridor-North, as initiated by B.T. 07-139. The funds are to carryover to Fiscal Year 2007-2008. The ordinance amends the 2006-2011 Five-Year Capital Improvement Program, approved by Ordinance 2006-789-E, to establish Priority 1 Status for the "Cecil Field Greenway Trail-North" project. The ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Local Agency Agreement between the City and FDOT. The Department of Public Works will oversee the project.

**Background Information:** The project site is located in Council District 12. The project entails the construction of paved, asphalt trails, 12' feet wide, state-standard. The trails are for multi-purpose uses.

**Policy Impact:** Parks, Recreation, Entertainment & Conservation Department/Local Agency Agreements

**Fiscal Impact:** The bill appropriates \$636,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-508

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates a grant from the United States Justice Department in the amount of \$8,666.99, with no City match. The purpose of the appropriation is to authorize the grant for the Data Analysis Expansion Capability Program for the purchase of equipment that will enhance the processing of data by the Crime Analysis Unit of JSO, as initiated by B.T. 07-138.

**Background Information:** The funds in this appropriation were surplus funds that were made available when Baldwin opted to abolish its police department.

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

**Fiscal Impact:** The bill appropriates \$8,666.99 in a Justice Department grant.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-509

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Road Closure

**Bill Summary:** This bill closes and abandons a portion of Irving Road as a right-of-way.

**Background Information:** The applicant, B and B Properties of Jacksonville, Inc., has requested closure to allow for consolidation of properties for a master planned development. The closure area is a 40-foot unopened and unimproved right-of-way created by the Plat of New Berlin. According to information on file, the \$1,500 closure application fee has been paid and any objections by governmental agencies have been resolved.

**Policy Impact Area:** Real Estate; Right-of-Way Closures

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-524

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Approval of lease amendment

**Bill Summary:** The bill approves a 7<sup>th</sup> amendment to the lease between the City and Northrop Grumman for facilities at Cecil Commerce Center to remove two facilities from the lease agreement and to provide for one year of rent forgiveness on those facilities in exchange for Northrop-Grumman voluntarily releasing the facilities back to the City for economic development reuse 12 years before the expiration of its current lease.

**Background Information:** The two facilities that Northrop Grumman is agreeing to vacate are a 30,000 square foot helipad/outdoor storage area and a 42,000 square foot storage bunker. Northrop Grumman's cost to vacate the facilities and remove its equipment is approximately \$50,000, and the City's rent forgiveness for one year is valued at \$41,200. Northrop Grumman will have 1 year from the effective date of the agreement to remove its operations and equipment and return the facilities to the City's control.

**Policy Impact Area:** Cecil Commerce Center redevelopment

**Fiscal Impact:** The bill provides for one year of rent forgiveness valued at \$41,200.

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2007-525

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Easement Closure

**Bill Summary:** This bill closes and abandons a drainage easement on a portion of North Shore Drive. It is stated that the closure request was routed to government agencies, and any objections have been resolved.

**Background Information:** The applicant, Clyde Jennings, Jr., Trustee, has requested closure to clear title for a home encroaching into the easement. Ordinance 85-229-161 reserved the easement when the City disclaimed interest in a portion of North Shore Drive. According to information on file, the \$500 closure application fee has been paid.

**Policy Impact Area:** Real Estate - Easement Closures

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-526

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Condemnation Authorization

**Bill Summary:** This bill declares the public necessity for acquiring through condemnation by right of eminent domain fee simple title and temporary construction easement rights in certain lands for the widening of Old Middleburg Road from Herlong Road to Wilson Boulevard. Authorization is given for the Office of General Counsel to institute appropriate legal proceedings. The temporary construction easements are granted upon the condition that sloping and/or grading shall not extend beyond outlined limits, that grading and sloping shall conform to all existing structural improvements within the designated limits, and that all work will be performed in such manner that any existing structural improvements will not be damaged.

**Background Information:** Old Middleburg Road (Herlong to Wilson) is a Better Jacksonville Plan project for widening and drainage improvements to Old Middleburg Road. The condemnation involves eight fee parcels and twelve temporary construction easements.

**Policy Impact Area:** Real Estate; Streets and Drainage; Eminent Domain

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Resolution 2007-527

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Council President's reappointment of M.G. Orender as a member of the Comcast Settlement Community Panel, for a second term ending December 31, 2008.

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

Mr. Orender is the President of Hampton Golf, Inc. and resides in Jacksonville Beach within Council District #13.

**Policy Impact Area:** Comcast Community Settlement Panel operations

**Fiscal Impact:** None

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-528

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Street Closure

**Bill Summary:** This ordinance closes and abandons and/or disclaims a portion of Union Street East, a 70 FT. opened and improved right-of-way lying between Bridier Street and Martin Luther King Expressway, as recorded in Plat Book "Q", Page 443, of the Current Public Records of Duval County, at the request of Millenium Homes, LLC, to allow for construction of single-family homes, subject to reservation of an all utilities easement over the closed right-of-way.

**Background Information:** The right-of-way is located in Council District 7. The request to close and abandon the right-of-way was routed to all agencies having an interest and any objections have been resolved.

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

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

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-529

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$33,206 from the Corporation for National and Community Service to provide funding for the Florida Alzheimer's Volunteer Opportunity Respite Senior Companion Program Center-based Group Day Respite Project of the Independent Living Program. Provision is made for the carryover of appropriated funds to the 2007-2008 fiscal year.

**Background Information:** This continuation grant requires no City cash match and is for the period July 1, 2007, through June 30, 2008. It is expected to provide 7,432 hours of center-based respite for caregivers, companionship services for 18 to 25 eligible frail elderly citizens, and stipends to 10 to 12 low-income seniors.

**Policy Impact Area:** Adult Services

**Fiscal Impact:** \$33,206 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-530

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$161,910.62 of HOME Program income from miscellaneous sales and charges to provide funding for the HOME Headstart to HOME Ownership Program administered by the Housing Services Division of the Housing & Neighborhoods Department to provide financial assistance to individuals and families of low to moderate income purchasing homes in Duval County. The funds will carryover to Fiscal Year 2007-2008.

**Background Information:** The Headstart to HOME Ownership program offers financial assistance to eligible low-income families/individuals who are interested in purchasing a home. The financial assistance funding by the federal Home Investment Partnership Program provides down payment, closing cost and/or principal reduction. Low income (80% or less of median income) families who qualify for a first mortgage with a lending institution are eligible to apply for the program. The purpose of the down payment program is to provide qualified institution borrowers with a source of down payment and closing costs assistance.

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

**Fiscal Impact:** The bill appropriates \$161,910.62

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-531

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation; employee position reauthorization; authorization to execute grant agreement

**Bill Summary:** The bill appropriates a \$285,000 grant from the U.S. Department of Homeland Security for air quality monitoring in Jacksonville, and reauthorizes the position allocations of 2 employees in the Department of Environmental Resource Management to conduct the monitoring. The bill also authorizes the administration to execute a grant agreement with the Department of Homeland Security to accept and utilize the grant.

**Background Information:** The two reauthorized positions are an Environmental Engineer/Scientist and an Environmental Specialist. The grant pays for salaries, benefits, supplies, equipment purchases, and travel for the monitoring program.

**Policy Impact Area:** Homeland security

**Fiscal Impact:** The bill appropriates as \$285,000 federal Department of Homeland Security grant

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-534

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$707,404 from the Special Law Enforcement Trust Fund to provide funding (1) for tasers for corrections and judicial officers (\$562,400); (2) for diversity training (\$88,000); (3) to Crimestoppers (\$25,000); (4) to the Justice Coalition (\$25,000); (5) to the Boy Scouts of America (\$5,000); and, (6) to Families of Slain Children, Inc. (\$2,004). Provision is made for the carryover of appropriated funds into the 2007-2008 fiscal year.

**Background Information:** Information from the Office of the Sheriff states that the appropriation is being made in accordance with Section 932.7055, Florida Statutes.

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

**Fiscal Impact:** \$707,404 is appropriated by this ordinance

**Analyst:** Campbell



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**Bill Type and Number:** Ordinance 2007-535

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$1,897,929.78 (\$1,435,175.78 grant from the Florida Department of Environmental Protection FDEP) and \$462,754.00 from Fund Balance) to fund the Gas Storage Tank Cleanup Program administered by Environmental Quality Division of the Environmental Resource Management Department (ERMD) for the grant period from July 1, 2007, to June 30, 2008, as initiated by B.T. 07-142; provision is made to carryover the funds to Fiscal Year 2007-2008; the bill reauthorizes ERMD positions in the Gas Storage Tank Cleanup Program for the grant period, as initiated by R. C. 07-691. The bill authorizes the Mayor and Corporation Secretary to execute and deliver documents and to take further action to implement this legislation.

**Background Information:** Florida has over 25,000 petroleum tanks that had leaked in the past. About 20 years ago, the State created a gas-tax funding source (Inland Protection Trust Fund) to clean up old spills meeting certain criteria. Duval County has had approximately 1,775 of those spills. In the clean-up program, the Environmental Quality Division serves on behalf of the State to oversee the work of consultants performing assessment, the clean-up, monitoring and closure of the spills. The program is state funded. The EQD of the Environmental Resource Management Department has administered the Petroleum Cleanup Program for over 14 years.

**Policy Impact:** Environmental Resource Management Department/Environmental Quality Division/Gasoline Storage Cleanup

**Fiscal Impact:** The bill appropriates \$1,897,929.78

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-536

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation/Reauthorization of Positions

**Bill Summary:** This bill appropriates \$659,213 from the Florida Dept. of Environmental Protection to provide funding to the Environmental Quality Division of the Environmental Resource Management Dept. to perform air pollution permitting and compliance-related activities for major sources of air pollution within Duval County. Positions are reauthorized. Additionally, the Mayor, or designee, and Corporation Secretary are authorized to execute necessary documents and take further action to effectuate the purposes of this ordinance.

**Background Information:** The grant is for the period July 1, 2007, through June 30, 2008. Information from the Environmental Resource Management Dept. states that the program is funded by the Florida Dept. of Environmental Protection with no General Fund contribution. Reauthorization is given for 1 Environmental Engineering Manager position, 3 Environmental Engineer/Scientist positions, and 4 Environmental Specialist positions.

**Policy Impact Area:** Environmental Protection

**Fiscal Impact:** \$659,213 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-537

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$271,698 grant from the Florida Department of Environmental Protection (FDEP) to provide funding to the Environmental Quality Division of the Environmental Resource Management Department (ERMD) for ambient air monitoring to measure and record concentrations of carbon monoxide, sulfur dioxide, nitrogen dioxide, ozone and particulate matter in the atmosphere in Duval County for the grant period from July 1, 2007 to June 30, 2008, as initiated by B.T. 07-145. The ordinance reauthorizes ERMD positions for the ambient monitoring program, as initiated by R. C. 07-692. The Mayor is authorized by this legislation to execute the Fiscal Year 2008 Ambient Air Monitoring Contract between the City of Jacksonville and FDEP in accordance with Chapter 117 (Gants).

**Background Information:** The Environmental Quality Division (EQD) of the Environmental Resource Management Department contracts with the Florida Department of Environmental Protection to operate the ambient criteria air pollutants network and ambient air toxics monitoring network within Duval County. ERMD has administered the contract for the City's air pollution control program for fourteen years. The contract is renewed annually. The State now requires that the contract period correspond to the State's Fiscal year. The information gathered by the air monitoring is used in various databases and computer model and for determining attainment status and the need for air pollution alerts.

**Policy Impact:** ERMD/Environmental Quality Division/Air Pollution

**Fiscal Impact:**

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-538

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$603,896.00 (\$517,289.00 grant from the Florida Department of Environmental Protection (FDEP) and \$86,607.00 from Fund Balance) to provide funding for the Gas Storage Tank Inspection Program administered by the Environmental Resource Management Department (ERMD) FOR THE GRANT PERIOD FROM July 1, 2007 to June 30, 2008, as initiated by B.T. 07-141; provision is made to carryover funding to Fiscal Year 2007-2008. The ordinance reauthorizes ERMD positions in the Gas Storage Tank Inspection Program for the grant period, as initiated by R.C. 07-690. The Mayor and Corporation Secretary are authorized to execute and deliver documents and take further action to implement the purpose of this ordinance.

**Background Information:** The State of Florida created a gas-tax funding source (Inland Protection Trust Fund) to clean up old spills meeting certain criteria and to establish performance standards to prevent future petroleum tank leaks. The State has adopted standards for leak detection, anti-rust protection, containment around joints and upgrade of tanks and systems on multi-year schedule. The funding appropriated by this ordinance is for a Tank inspection and compliance program. ERMD's Environmental Quality Division is contracted by the State to inspect the storage tank facilities, write a report on the deficiencies and specify the time frame for corrective action.

**Policy Impact:** Environmental Resource Management Department/Environmental Quality Division/Gas Storage Tank Cleanup Program

**Fiscal Impact:** The bill appropriates \$603,896.00

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-539

**Sponsor:** Council President at the request of the Jacksonville Port Authority

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Budget ordinance amendment; CIP amendment

**Bill Summary:** The bill amends the FY2006-07 budget ordinance (2006-788-E) to attach a revised Budget Schedule J – Jacksonville Port Authority – reflecting an increased capital budget for construction of the new Dames Point Container Terminal, and amends the City’s 2006-11 Capital Improvement Program to add the same project.

**Background Information:** The total budget for the terminal construction is \$212,800,000, of which \$112,800,000 is programmed for expenditure in FY06-07. The terminal will serve the ships of the Mitsui OSK line, which will be providing Jaxport’s first direct connection with a Far East shipping company.

**Policy Impact Area:** Budget amendment

**Fiscal Impact:** The budget amendment provides for a Jaxport capital expenditure of \$112,800,000 in the current fiscal year.

**Analyst:** Clements

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2007-541

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Development Agreement Authorization; Appropriation

**Bill Summary:** This ordinance authorizes the execution of an Economic Development Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and International Baler Corporation, in connection with the expansion of the company's manufacturing facility in the Northwest Jacksonville area. The bill appropriates \$250,000 from the Northwest Jacksonville Economic Development Trust Fund to provide a grant of \$75,000 for infrastructure improvements and a loan of \$175,000 for site development to the company, as initiated by B.T. 07-132. Provision is made to carryover the funds to Fiscal Year 2007-2008. The project site is in Council District 10, located at 5400 Rio Grand Avenue.

**Background Information:** International Baler Corporation proposes to expand its existing 57,000 s.f. facility and construct a 30,000 s.f. building addition to expand its manufacturing facility and purchase machinery and equipment. The project cost is \$1,985,000. The project will create 15 new full time jobs within 36 months of project completion with an average wage of \$36,916. Private capital investment necessary to complete the project is estimated to be \$1,735,000. Baler is responsible for any cost overruns associated with the expansion. The JEDC recommends financial assistance in the form of a \$250,000 BIG grant and loan to offset a portion of infrastructure related costs associated with site development, including utility upgrades, storm water retention and drainage improvements, landscaping improvements, security lighting and parking lot improvements.

**Policy Impact:** Economic Development/Jacksonville Economic Development Commission

**Fiscal Impact:** The bill appropriates \$250,000 in a NWJEDTF grant/loan.

**Analyst:** Jackson

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LEGISLATIVE SUMMARY



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**Bill Type and Number:** Ordinance 2007-542

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

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

**Bill Summary:** This bill appropriates \$161,286.16 (\$36,286.16 from the Equestrian Center of Jacksonville Capital Improvement Trust Fund and \$125,000 from a Cecil Field Trust Fund-Parks and Recreation account) to provide funding for anticipated cost overruns for the Equestrian Center Phase II project. Additionally, the Five-year Capital Improvement Program is amended to increase the budget required for completion of said project.

**Background Information:** Information on file states that the funds will be used to establish a contingency fund for Phase II of the project and pay for anticipated cost overruns relative to the third barn.

**Policy Impact Area:** Public Facilities-Equestrian Center; Capital Improvements; Cecil Field Trust Fund

**Fiscal Impact:** \$161,286.16 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-543

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Declaration of Surplus and Disposition Authorization; Waiver of Ordinance Code and Rules

**Bill Summary:** This bill declares a certain 2001 Chevrolet Lumina to be surplus to City needs and authorizes transfer of title to the "City" of Baldwin (please see note below) at no cost. Inconsistent provisions of Chapter 122 (Public Property), Ordinance Code, requiring fair market compensation and certification that the property is obsolete, worn out, or scrapped, are waived. Also, Council Rule 3.102(g) (Preparation of Bills) is waived to the extent a certificate from the Director of Procurement is required to demonstrate compliance with Chapter 122, as the vehicle is being donated to Baldwin. The Office of the Sheriff will be the designated agency to monitor Baldwin's use of the vehicle in accordance with stated purposes.

**NOTE:** Although referenced several times in the legislation as a "city," Baldwin is actually a "town."

**Background Information:** The vehicle is to be used in code enforcement. The Office of the Sheriff advises that Baldwin, when it dissolved its police department, transferred title to 11 police vehicles to Jacksonville, and the bill states that Jacksonville has received several vehicles at no cost from Baldwin. Information from Fleet Management reflects an average surplus sales value of \$3,600, based on Kelly Blue Book wholesale figures.

**Policy Impact Area:** Office of the Sheriff; Urban Services Districts; Code Enforcement

**Fiscal Impact:** Undetermined; the vehicle has an average surplus sales value of \$3,600

**Analyst:** Campbell



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**Bill Type and Number:** Ordinance 2007-544

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$348,128 (\$293,128 from the Special Council Contingency – Children’s Commission fund and \$55,000 from the Mayor’s Early Literacy – Children’s Commission fund) to the Jacksonville Children’s Commission (JCC) to fund several early literacy initiatives for the period of July 1 to September 30, 2007 to continue work previously funded by the Early Learning Coalition. The initiatives include the Don Brewer Center’s virtual school readiness incubator; evaluation of literacy service providers by the Florida Institute of Education; and funding for the Early Literacy Quality Teams for the period of July 1 to September 30, 2007.

**Background Information:** The Early Literacy Coalition’s grant to initiate these programs expires on June 30, 2007 and this bill continues the Mayor’s early literacy initiatives with City funding through the end of the current fiscal year. The bill allocates \$60,000 to the Brewer Center, \$20,000 increased contractual funding to the Florida Institute of Education, and \$268,168 for the Early Literacy Quality Teams.

**Policy Impact Area:** Early literacy promotion

**Fiscal Impact:** The bill appropriates \$348,128 from a Special Council Contingency fund and a Mayor’s Early Literacy reserve fund established for this purpose in the FY06-07 budget.

**Analyst:** Clements

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**LEGISLATIVE SUMMARY**

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**Bill Type and Number:** Ordinance 2007-545

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$142,588 from the Jacksonville Children's Commission (JCC) Reserve Fund account to provide (1) funding in the amount of \$42,588 for the JCC Family Involvement Program for the period July 1, 2007 through September 30, 2007 and (2) a funding increase in the amount of \$100,000 for the JCC 2007 summer Camp Program, both as initiated by B.T. 07-137. The ordinance approves position changes in the JCC, as initiated by R. C. 07-642.

**Background Information:** The JCC Family Involvement Program is an outreach undertaking to strengthen families. The program is County-wide. The program provides training for parents on how to educate their children and provide the children with enriching experiences. A fatherhood program is a component of the program, as well as family festivals and enhancement activities. Previous funding restricted the outreach to families of children from birth to five years of age. The program funded by this appropriation will enable the JCC Family Involvement Program to reach families with children of all ages.

**Policy Impact:** Families/Jacksonville Children's Commission

**Fiscal Impact:** This ordinance appropriates \$142,588

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-546

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Agreement Authorization

**Bill Summary:** This ordinance authorizes the Mayor and Corporation Secretary to execute an Agreement for Exchange of Real Property between the City of Jacksonville and W. A. Miner, and to execute all deeds and closing documents to effectuate the exchange of real property, Parcel 100, R. E. #055770-0000, owned by W. A. Miner and located on Osceola Street between Forest Street and McCoy Creek Boulevard, in Council District 9, and Parcel 900-100, R.E. # 055848-0000, owned by the City and located on Forest Street within the triangle formed by Osceola Street, Forest Street and McCoy Creek Boulevard, in Council District 9, to allow for the relocation of Fire Station 5.

**Background Information:** The City acquired land to build a new Fire Station 5. The current site does not provide the needed ingress/egress traffic pattern for the emergency Fire & Rescue vehicles. The acquisition of land owned by W. A. Miner, land that abuts the property for the new fire station site, will fulfill the needs of the City. In turn, W. A. Miner will acquire nearby City-owned land, in exchange.

**Policy Impact:** Fire & Rescue Department

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2007-547

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Eminent Domain Proceedings

**Bill Summary:** This legislation declares the public purpose and public necessity for exercising the right and power of eminent domain to acquire Grants of Easements over parcels 800-811 between 26<sup>th</sup> Street and West 30<sup>th</sup> Street West parallel to Charles Street and Leonard Circle West, in Council District 9, to enable the City of Jacksonville to install a force main required for the Moncrief Creek Flood Control Project. The resolution directs the Office of General Counsel to institute appropriate condemnation proceedings.

**Background Information:** The City its right and power of Eminent Domain to get a Grant of Easement from twelve property owners on Leonard Circle West. The purpose is to relocate the force main along Moncrief Creek between 33<sup>rd</sup> Street and 26<sup>th</sup> Street.

**Policy Impact:** Public Works/Real Estate/Office of General Counsel/Eminent Domain Proceedings

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

**CITY COUNCIL RESEARCH DIVISION**  
LEGISLATIVE SUMMARY



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**Bill Type and Number:** Ordinance 2007-549

**Sponsor:** Council Member Lockett-Felder

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$100,000 from a Council District 7 Capital Projects BJP account for The Bridge of Northeast Florida, Inc. Funds not utilized by September 30, 2007, shall revert to the account of origin. The provisions of Section 106.315, Ordinance Code, requiring that bonds funds be used on public property, and any other ordinance to such effect, are waived. Compliance is required with various sections of the Ordinance Code. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute an agreement with The Bridge of Northeast Florida. It is requested that the Mayor appoint the Community Services Dept. to oversee expenditure of funds.

**Background Information:** The funds are to be used to provide an additional 20-25 person passenger mini-bus (\$63,254), and for equipment and fixtures (\$36,746) for a Media Arts Center in the Teen Epicenter that will be located at Beulah Beal Young Parents Center. This is found to be a valid municipal purpose for which funds should be expended under the bonds.

**Policy Impact Area:** Community Services; Council District Bond Funds

**Fiscal Impact:** \$100,000 is appropriated by this ordinance

**Analyst:** Campbell

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**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2007-550

**Sponsor:** Council Member Lockett-Felder:

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** This ordinance appropriates \$100,000 from the Executive Operating Reserve – Joint (Mayor/Council) account, to provide speech and language services to children through early intervention at the Jacksonville Children’s Commission’s Brewer Early Learning and Professional Development Center. The ordinance waives compliance with the provisions of Chapter 118, *Ordinance Code*.

**Background Information:** The Brewer Early Learning and Professional Development Center, located on A. Phillips Randolph Boulevard in Council District 7, serves as a driving force to improve the readiness outcomes of Jacksonville’s at risk children, ages birth to five, with special emphasis on literacy. Provisions waived in Chapter 118 in clued provisions setting forth the method of appropriation and receipt of miscellaneous appropriations, and requiring contracts, reports and audits.

**Policy Impact:** Jacksonville’s Children’s Commission

**Fiscal Impact:** The bill appropriates \$100,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2007-551

**Sponsor:** Council Member Lockett-Felder

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

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

**Bill Summary:** The bill appropriates \$140,000 from the Better Jacksonville Plan District 7 Discretionary Fund to the Planning and Development Department Town Center Initiatives capital account to fund a portion of the Phase III construction costs for the Arlington Road Town Center Project. The bill amends the 2006-11 Capital Improvement Program to increase the Planning District 2 Town Centers project amount from \$2,000,000 to \$2,140,000, and provides that the appropriation shall carry over to FY07-08.

**Background Information:** The Arlington Road Town Center is one of 4 town center projects in Planning District 2, and stretched from University Boulevard to Rogero Road in the Old Arlington area. The visioning and design phases of the project have been completed, but escalating costs have exceeded the budget available for phase III construction. This bill appropriates Council District 7 bond money to help complete the project construction.

**Policy Impact Area:** Town Center initiative construction

**Fiscal Impact:** The bill appropriates \$140,000 in District 7 bond funds to help complete construction of the project

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-552

**Sponsor:** Council Member Lockett-Felder

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Park Renaming

**Bill Summary:** This bill renames Harts Road Park to Eartha H. Napoleon Park in recognition of Mrs. Napoleon's contributions to the City of Jacksonville. The Dept. of Parks, Recreation, Entertainment, and Conservation is required to oversee the making of necessary changes to effect the renaming.

**Background Information:** The park is located at 15597 Harts Road. Mrs. Napoleon was an active and civic-minded resident of Turtle Creek Village, and the Turtle Creek Homeowners Association supports the renaming.

**Policy Impact Area:** Facility Naming; Recreation and Parks; Memorials

**Fiscal Impact:** Undetermined

**Analyst:** Campbell



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LEGISLATIVE SUMMARY



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**Bill Type and Number:** Ordinance 2007-553

**Sponsor:** Council Member Jenkins

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$15,500 from an Executive Operating Reserve-Joint (Mayor/Council) account for the Jacksonville Film Festival. Compliance with various provisions of Chapter 118 (Miscellaneous Appropriations) is required.

**Background Information:** Funds are to be used for contributions to facility rentals (\$6,750) and film rentals and licensing (\$8,750) for the 2007 film festival.

**Policy Impact Area:** Film Festival

**Fiscal Impact:** Undetermined; \$15,500 is appropriated by this ordinance

**Analyst:** Campbell

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

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**Bill Type and Number:** Ordinance 2007-554

**Sponsor:** Council Member Jenkins

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

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

**Bill Summary:** This bill appropriates \$450,926.10 (\$33,060.00 from the Tree Protection and Related Expenses Trust Fund and \$417,866.10 from a Council District 4 Capital Projects (ETR, 2004) account to provide additional funding at St. Nicholas Town Center. Provision is made for the carryover of appropriated funds into the 2007-2008 fiscal year. Funds not used for the St. Nicholas Town Center Landscaping project within the 2006-2007 fiscal year are required to revert to the source of origin, which is District 4 bond funds (please see note below). The Five-year Capital Improvement Program is amended to authorize the St. Nicholas Town Center project. It is requested that the Mayor appoint the Dept. of Public Works to insure compliance with any agreement and all other appropriate laws.

**NOTE:** The carryover and reverter provisions need to be reconciled.

**Policy Impact Area:** Trees and Landscaping; Community Redevelopment; Council District Bond Funds

**Fiscal Impact:** \$450,926.10 is appropriated by this ordinance

**Analyst:** Campbell

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**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Resolution 2007-556

**Sponsor:** Council Member Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Petition to the JTA

**Bill Summary:** The bill urges the JTA to abandon consideration of the use of neighborhood residential streets (specifically Hamilton Street and Shirley Avenue) in the planning and implementation of the East/Southwest corridor of the JTA's future rapid transit system, and instead to direct planning efforts to the use of San Juan Avenue or Timuquana Road as the preferred locations for the corridor's connections between Roosevelt Boulevard and Blanding Boulevard.

**Background Information:** The Hamilton Street/Shirley Avenue connection is one alternative being considered by the JTA in its corridor planning process, and the residents of the area have spoken out vigorously against the use of neighborhood streets instead of larger arterial roads for the rapid transit corridor.

**Policy Impact Area:** Mass transit corridor planning

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**LEGISLATIVE SUMMARY**

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**Bill Type and Number:** Ordinance 2007-557

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Amendment of Council Rules/Ordinance Code Amendment

**Bill Summary:** This bill amends Rule 3.102 (Preparation of Bills), Council Rules, to require that any ordinance repealing an existing Ordinance Code provision, without the use of strikeouts, include language stating that the repealed chapter, section, or subsection is placed on file with the Legislative Services Division, additionally requiring such placement on file. Rule 3.703 (Council Agendas) is amended to permit certain resolutions, but not ordinances, provided for in Rule 3.305 (please see background information) to be placed on the consent agenda for disposition, provided the resolutions meet other consent agenda criteria. Rule 4.301 (Regular Order of Business) is amended to adjust the order of business to reflect the practice of Council, with public comment and scheduled public hearings being placed near the end. Section 3.101, Ordinance Code, is amended to require that a representative of the appropriate executive branch division, department, or agency provide oversight of each enacted ordinance to ensure that all responsibilities and obligations are effected, including obtaining copies of passed legislation, securing execution and implementation of contracts, and assuring responsible disbursement of appropriated funds.

**Background Information:** Rule 3.305 deals with legislation requiring only two readings.

**Policy Impact Area:** Council Rules; Legislation; Conducting Public Business

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2007-558

**Sponsor:** Council Member Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This bill creates a new Part 3, Chapter 714, Ordinance Code, to include an Underground Power and Communications Program Area in Neighborhood Assessment Programs. Citizens in an eligible neighborhood would be allowed to petition the City Council to initiate legislation to adopt a neighborhood assessment program for underground power and communications improvements. Petitions must follow approved form, and contain a JEA certified estimate of the cost and the assessment to be levied against each property. Petitions are to be filed with the Chief of Legislation Services, with a filing fee calculated as \$10 per lot, not to exceed \$500. Prior to the filing of a petition, JEA must determine that the petition meets assent requirements involving at least two-thirds of the owners or the total assessed value. In the event the Council does not enact legislation or delays adoption for more than one year from introduction, the petition filing fee is to be returned. JEA is required to be the government entity providing performance and to undertake completion of associated work. Project costs incurred by JEA are to be initially funded by the City, to be refunded to the City through the assessment program. Provision is made for revision of the petition form. No referendum is to be required for the exercise of any of the provisions of this ordinance, unless required by the Florida Constitution. In the event of an irreconcilable conflict between the provisions of a particular program area and general provisions, the provisions of the particular program area shall govern to the extent of such conflict. Provision is made for severability.

**Background Information:** In the legislation, it is stated that the City has partnered with JEA to facilitate neighborhood commitments to move overhead delivery of power and communications services to an underground system.

**Policy Impact Area:** Underground Power and Communications; Neighborhood Assessments

**Fiscal Impact:** Undetermined

**Analyst:** Campbell

**CITY COUNCIL RESEARCH DIVISION**  
LEGISLATIVE SUMMARY



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**Bill Type and Number:** Ordinance 2007-559

**Sponsor:** Council Member Davis

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 250 – Miscellaneous Business Regulations – to provide for an exemption from business license fees for persons who are: physically disabled from doing manual labor; widows with dependent minors; and persons age 65 and over who engage in a very small business (\$1,000 or less in capital investment and no more than one employee). The amendment establishes conditions for making application for the exemption, and provides that, the new exemption notwithstanding, no person may be exempted from any business license fee required to engage in the sale of alcoholic beverages.

**Background Information:** The amendment to Chapter 250 mirrors the existing exemption from payment of occupational license taxes for the same categories of persons found in Chapters 770 and 772. The business licenses covered in Chapter 250 include auctioneers, sidewalk vendors, transient merchants, downtown sidewalk and open air vendors, street vendors, residential solicitors and peddlers, downtown sidewalk cafes, sidewalk cafes, and special events vendors.

**Policy Impact Area:** Business license fee exemption

**Fiscal Impact:** Undetermined, but anticipated to be minimal. The Tax Collector's Office, which issues business permits and licenses, estimated that the number of license holders who meet the exemption criteria would be very small.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-560

**Sponsor:** Council Member Daniels

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Zoning Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 656 – Zoning Code – to repeal the existing Part 3, Subpart D – Industrial Use Categories and Zoning Districts – and enact a new revised Part 3, Subpart D. The new Subpart, primarily a clean-up and revision of the existing Subpart, adds a variety of new uses allowable by right on industrially-zoned properties. Examples include: banks, loan and mortgage companies, stock brokers and other financial institutions in the IBP classification; restaurants and automobile service stations in the IL classification; and a variety of residential uses in the IBP classification, provided they are outside of an airport zone or the Coastal High Hazard Area.

The bill combines the existing Industrial Business Park-1 and -2 classifications into one classification utilizing the current IBP-2 regulations and criteria, and allows multi-family residential as a secondary zoning district in the IBP zones. The bill also amends the Heavy Industrial and Industrial Waterfront classifications to incorporate the provisions of the Industrial Sanctuary overlay created in pending Ordinance 2007-398, specifying uses allowable by right and by exception in designated sanctuaries.

**Background Information:** The bill updates the industrial zoning classifications to incorporate additional land uses that are compatible with and are the subject of frequent requests for exceptions in the industrial classifications, and incorporates the effects of Ordinance 2007-398 with regard to Industrial Sanctuary overlay districts.

**Policy Impact Area:** Industrial zoning classification update

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**LEGISLATIVE SUMMARY**

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**Bill Type and Number:** Ordinance 2007-562

**Sponsor:** Council Member Ray:

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This ordinance amends Section 656.420 (Parking, Storage, Repair and Operation of Flying Craft and Airboats in residential districts), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, to permit outside storage of flying craft and airboats behind a screened barrier and prohibiting certain activities relating to flying craft between the hours of 9 P.M. and 8 A.M.

**Background Information:** This legislation would prohibit drilling, riveting and engine testing of flying craft and airboats in all residential districts between the hours of 9:00 p.m. and 8:00 a.m. Flying craft and airboats shall be required to parked or stored in a completely enclosed building or screened from all public streets and rights of way and adjacent properties by a fence, wall or evergreen hedge.

**Policy Impact:** Ordinance Code/Flying Craft

**Fiscal Impact:** Undetermined

**Analyst:** Jackson



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

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**Bill Type and Number:** Ordinance 2007-563

**Sponsor:** Council Member Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Extension of rezoning deferment

**Bill Summary:** The bill extends the provisions of Ordinance 2006-191-E which enacted a deferral of rezonings in the Riverside/Avondale area from June 30 to December 31, 2007.

**Background Information:** A consultant is in the process of performing a special planning study of the development and redevelopment patterns and community needs in the Riverside/Avondale area. The study is anticipated to be completed by the end of August and the bill states that a four month review period by city staff and the City Council is a reasonable time period for the deferral to stay in place until action on the plan can be taken.

**Policy Impact Area:** Extension of existing ordinance

**Fiscal Impact:** Undetermined

**Analyst:** Clements

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2007-564

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

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 656 – Zoning Code – and Chapter 30 – Planning and Development Department – to change various regulations and procedures with regard to the Downtown Overlay Zone, the Planning Commission, and the Downtown Development Review Board. The bill shifts the authority for review of and recommendation on exceptions, variances, waivers and other actions within the Downtown Overlay Zone from the Planning Commission to the JEDC’s Downtown Development Review Board (DDRB), the successor to the current JEDC Design Review Committee. For administrative actions applying to the Downtown Overlay Zone, all current references to actions by the “Zoning Administrator” are changed to refer instead to the designated JEDC employee assigned to handle downtown overlay issues. The bill establishes application fees for a non-multi-phase “staff only review” and a multi-phase Downtown Design Review Board review.

The bill adds additional language Zoning Code Part 3, Subpart H – Downtown Overlay Zone and Downtown District Regulations – to clearly state that the development guidelines for downtown are not meant to be totally prescriptive, but suggestive of the quality and design approach expected for downtown projects. The Downtown Development Review Board is authorized to approve deviations from the established downtown development guidelines for good cause, and may develop supplemental design guidelines. The bill removes the requirement that parking garages must have ground floor retail space from garages that are not located in the defined “Central Core” or on “Retail Pedestrian Oriented Streets”, but these other garages are required to disguise their street faces with appropriate architectural elements (windows, decorative panels, etc.)

The DDRB is established with 9 voting members and 11 ex officio members for a total of 20.

**Background Information:** The bill is intended to shift review and approval of downtown development and redevelopment projects from the Planning Commission to a board with a sole focus on downtown issues, which combines ex officio representatives of entities with downtown interests and responsibilities (Downtown Vision, Inc., First Coast MPO, Waterways Commission, JTA, etc.) with private sector experts in architecture and planning, and 3 downtown property owners or full time employees of downtown businesses.

**Policy Impact Area:** Downtown development review and regulation

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2007-582

**Sponsor:** Council Member Davis

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Benjamin F. Walker to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 12, for a second term ending June 30, 2008.

**Background Information:** Chapter 82, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, one nominee from each of the District Council Members. Mr. Walker is Council Member Davis' nominee to represent City Council District 12. He resides in the Rolling Hills area within Council District #12.

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

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-583

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill appoints Council Member Michael Corrigan to the Tourist Development Council (TDC), replacing Council Member Gwen Yates for an unexpired term ending June 30, 2010. This bill is to be effective July 1, 2007.

**Background Information:** Chapter 70, *Ordinance Code*, provides that in addition to the Council President, two of the nine members of the TDC shall be elected officials. Council Member Corrigan served as Chair of the TDC for the 06/07 year during his term as Council President.

**Policy Impact Area:** Tourist Development Council Operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2007-584

**Sponsor:** Council President Corrigan

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 10, 2007

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill appoints Council Member Mia Jones to the Tourist Development Council (TDC), replacing Council Member Lad Daniels for an unexpired term ending June 30, 2008. This bill is to be effective July 1, 2007.

**Background Information:** Chapter 70, *Ordinance Code*, provides that in addition to the Council President, two of the nine members of the TDC shall be elected officials.

**Policy Impact Area:** Tourist Development Council Operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2007-586

**Sponsor:** Council Member Alvarez

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Appropriation

**Bill Summary:** The bill appropriates \$73,601 from the Tree Protection and Related Expenses Trust Fund to the Public Works Department to fund a tree planting project on Main Street from Busch Drive to Baisden Road west of the San Mateo area.

**Background Information:** The bill provides for planting of 49 live oaks and 108 evergreen holly or red cedar trees along the Main Street right-of-way.

**Policy Impact Area:** Roadway beautification

**Fiscal Impact:** The bill appropriates \$73,601 from the Tree Protection and Related Expenses Trust Fund.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2007-587

**Sponsor:** Council Member Jenkins

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 656 – Zoning Code – to repeal the current Part 14 – Density/Intensity Bonus – and replace it with a new Part 14 – Transit Oriented Development (TOD). The stated purpose of the new Part is to allow increased residential density, reduced automobile parking, pedestrian oriented open space, mixed use, and reduced setbacks in areas designated for mass transit stations. The part lists 13 specific areas deemed by the city to be suitable locations for TOD overlay zones and establishes a procedure whereby the JTA and the Planning and Development Department may propose additional TOD districts to the City Council for adoption. The procedure for adopting new TOD zones includes a requirement for a public planning charette prior to submission of the proposal to the Council, and the appointment by the Mayor (confirmed by Council) of a 7-member, public/private TOD Committee to review and make recommendations on the proposal.

The new Part establishes locational criteria for TOD overlay zones and establishes TOD-specific development standards, including regulation of streetscapes and landscaping, parking, pedestrian access, setbacks, and permitted, permissible and prohibited uses.

**Background Information:** Planning and public transit literature stress that one of the most important factors to ensuring the success of mass transit systems is the contribution to the land use regulatory system to producing the density of development required to provide the ridership base needed to make mass transit successful. Transit Oriented Development clusters high intensity, pedestrian-friendly development around mass transit stations to create the environment in which people can live and work comfortably without the need to utilize personal vehicles to attend to the ordinary tasks of daily life, such as commuting to work or doing weekly shopping.

**Policy Impact Area:** Transit oriented development

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2007-592

**Sponsor:** Council Members Ray and Hyde

**Date of Introduction:** May 8, 2007

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

**Date of Analysis:** May 11, 2007

**Type of Action:** Request to Mayor and City Council

**Bill Summary:** The bill urges the Mayor and City Council to convene a meeting of experts and interested stakeholders to discuss and develop a disaster recovery plan for the City government in the event that a natural disaster or other calamity seriously disrupts the city's operations and infrastructure. The bill requests that the list of Responsible Parties charged with developing the plan include the JEA, Aviation Authority, Port Authority, Transportation Authority, DEPS (?) and the City administration, and urges that the group produce a plan that includes both operational recovery steps and a recovery financing mechanism. Pre-bid, pre-approved contracts for emergency recovery services are recommended, as are a plan for emergency bond financing and/or a readily available line of credit to fund immediate recovery in the aftermath of a disaster. A final report is requested by May 1, 2008, after which consideration may be given to incorporating the disaster assessment and recovery plan into the City Charter.

NOTE: The bill may contain a scrivener's error on page 1, line 31 – "DEPS" may have been intended to be "DCPS" if the intent is for the Duval County Public Schools to be a stakeholder agency participating in the disaster recovery planning effort.

**Background Information:** Ordinance Code Chapter 684 - Disaster Preparedness and Civil Emergency – deals with declarations of emergency and the planning and management of immediate disaster response. The chapter does not particularly address long-term recovery issues or financing of disaster response.

**Policy Impact Area:** Disaster recovery planning

**Fiscal Impact:** Undetermined

**Analyst:** Clements