

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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(904) 630-1377



117 West Duval Street
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Bill Type and Number: Ordinance 2007-1185

Sponsor: Council President at the Request of the Supervisor of Elections

Date of Introduction: November 13, 2007

Committee(s) of Reference: R

Date of Analysis: November 14, 2007

Type of Action: Ordinance Code Amendment

Bill Summary: This bill repeals and creates anew Section 350.106 (Qualification of Candidates), Ordinance Code. Under the proposed new provisions, candidates for offices to be filled by election pursuant to Chapter 350 shall qualify for election by following the procedures for candidate qualification specified in Chapter 99, Florida Statutes. The repealed Section 350.106 is placed on file with the Office of Legislative Services. Further, the Legislative Services Division is directed to transmit the changes to the Municipal Code Corporation for updating the Code.

Background Information: The intent is to align Duval County candidate qualification with the Florida Election Code requirements for candidate qualification.

Policy Impact Area: Elections-Qualifying of Candidates

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1186

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Authorization to execute intergovernmental agreement

Bill Summary: The bill authorizes the execution of an intergovernmental agreement with Columbia County for services provided by Jacksonville's Medical Examiner for a term of one year from October 1, 2007 through September 30, 2008. The cost is \$2,100 per case for each autopsy, investigation, examination, court appearance and deposition.

Background Information: A Council Auditor's investigation earlier this year found that, while Jacksonville's Medical Examiner's Office provided autopsy and investigative services to several counties in an adjacent judicial circuit, there was no written contract between those counties and Jacksonville, and payment for those services was made directly to the Medical Examiner who then compensated employees in her office for the work they performed for those counties. This bill provides for a written contract with Columbia County for medical examiner services as the City has with the other counties it serves within its own judicial circuit, fixes a fee of \$2,100 per autopsy and related services, and provides that the fee shall be paid directly to the City rather than to the Medical Examiner personally.

Policy Impact Area: Medical Examiner's office operations

Fiscal Impact: Establishes a fixed fee and provides that out-of-county autopsy payments will be made to the City rather than to the Medical Examiner.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1187

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Authorization to execute intergovernmental agreement

Bill Summary: The bill authorizes the execution of an intergovernmental agreement with Suwanee County for services provided by Jacksonville's Medical Examiner for a term of one year from October 1, 2007 through September 30, 2008. The cost is \$2,100 per case for each autopsy, investigation, examination, court appearance and deposition.

Background Information: A Council Auditor's investigation earlier this year found that, while Jacksonville's Medical Examiner's Office provided autopsy and investigative services to several counties in an adjacent judicial circuit, there was no written contract between those counties and Jacksonville, and payment for those services was made directly to the Medical Examiner who then compensated employees in her office for the work they performed for those counties. This bill provides for a written contract with Suwanee County for medical examiner services as the City has with the other counties it serves within its own judicial circuit, fixes a fee of \$2,100 per autopsy and related services, and provides that the fee shall be paid directly to the City rather than to the Medical Examiner personally.

Policy Impact Area: Medical Examiner's office operations

Fiscal Impact: Establishes a fixed fee and provides that out-of-county autopsy payments will be made to the City rather than to the Medical Examiner.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1188

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Authorization to execute intergovernmental agreement

Bill Summary: The bill authorizes the execution of an intergovernmental agreement with Lafayette County for services provided by Jacksonville's Medical Examiner for a term of one year from October 1, 2007 through September 30, 2008. The cost is \$2,100 per case for each autopsy, investigation, examination, court appearance and deposition.

Background Information: A Council Auditor's investigation earlier this year found that, while Jacksonville's Medical Examiner's Office provided autopsy and investigative services to several counties in an adjacent judicial circuit, there was no written contract between those counties and Jacksonville, and payment for those services was made directly to the Medical Examiner who then compensated employees in her office for the work they performed for those counties. This bill provides for a written contract with Lafayette County for medical examiner services as the City has with the other counties it serves within its own judicial circuit, fixes a fee of \$2,100 per autopsy and related services, and provides that the fee shall be paid directly to the City rather than to the Medical Examiner personally.

Policy Impact Area: Medical Examiner's office operations

Fiscal Impact: Establishes a fixed fee and provides that out-of-county autopsy payments will be made to the City rather than to the Medical Examiner.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1189

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Authorization to execute intergovernmental agreement

Bill Summary: The bill authorizes the execution of an intergovernmental agreement with Hamilton County for services provided by Jacksonville's Medical Examiner for a term of one year from October 1, 2007 through September 30, 2008. The cost is \$2,100 per case for each autopsy, investigation, examination, court appearance and deposition.

Background Information: A Council Auditor's investigation earlier this year found that, while Jacksonville's Medical Examiner's Office provided autopsy and investigative services to several counties in an adjacent judicial circuit, there was no written contract between those counties and Jacksonville, and payment for those services was made directly to the Medical Examiner who then compensated employees in her office for the work they performed for those counties. This bill provides for a written contract with Hamilton County for medical examiner services as the City has with the other counties it serves within its own judicial circuit, fixes a fee of \$2,100 per autopsy and related services, and provides that the fee shall be paid directly to the City rather than to the Medical Examiner personally.

Policy Impact Area: Medical Examiner's office operations

Fiscal Impact: Establishes a fixed fee and provides that out-of-county autopsy payments will be made to the City rather than to the Medical Examiner.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1197

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; PHS

Date of Analysis: November 14, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates a \$2,000 donation from Wal-Mart to the Jacksonville Fire and Rescue Department.

Background Information: The funds are to be used for the purchase of station supplies for Fire Station No. 30.

Policy Impact Area: Fire and Rescue; Public Safety

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

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1198

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; PHS

Date of Analysis: November 14, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates a \$38,605 in private funds awarded by Fireman's Fund Insurance Company to the Jacksonville Fire and Rescue Department.

Background Information: Funds are to be used for the purchase of thermal imaging cameras and equipment for fire stations.

Policy Impact Area: Fire and Rescue; Public Safety

Fiscal Impact: \$38,605 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1199

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 16, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates a \$12,972.97 reimbursement from the Florida Department of Transportation, to be matched by a \$12,972.97 in-kind contribution from the Environmental Resource Management Department, Clean It Up, Green It Up staff salaries. The purpose of the appropriation is to provide funding to Keep America Beautiful affiliates for the development and implementation of litter prevention and education programs, as initiated by B.T. 80-023. This is a reimbursement grant. The City will be reimbursed on a quarterly basis.

Background Information: The funding appropriated by this bill is used to purchase cleanup support materials such as bag, gloves, litter pick up tools, sign printing and installation, printing materials for litter prevention, educational outreach, and other neighborhood and special volunteer cleanup programs. The grant program ends September 30, 2008.

Policy Impact: Environmental Resource Management/Clean It Up/Green It Up

Fiscal Impact: This bill appropriates a \$12,972.97 grant by a required in-kind contribution in the amount of \$12,972.97.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1200

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; PHS

Date of Analysis: November 14, 2007

Type of Action: Appropriation/Approval of Positions

Bill Summary: This bill appropriates \$4,412,583 (U. S. Dept. of Health and Human Services Social Services Grant-\$444,203; U. S. Dept. of Health and Human Services Community Nutrition Projects Grant-\$639,185; Dept. of Agriculture Nutrition Services Incentive Program Grant-\$167,444; City match-\$2,777,510; Reserve-Federal Programs-\$299,241; and Program Income-\$85,000) to provide funding for continuation of the Jacksonville Senior Services Program. Provision is made for the appropriation of an additional 10% of grant funds to the extent such funds may become available, and for the carryover of appropriated funds to fiscal year 2008-2009. Authorization is given for the Director of Administration and Finance to make necessary accounting adjustments to reflect actual grant revenues received. Approval is given for various positions in connection with the grant.

Background Information: This will provide for continuation of the Jacksonville Senior Services Program, involving meals, computer classes, arts and crafts, homemaker assistance, group support, one-on-one assessment, transportation, health classes, nutrition, and other daily social services and support events to approximately 5,000 seniors (age 60 and older) at 20 sites throughout Duval County. The term of the grant is January 1, 2008, to December 31, 2008. The authorization given is for 59 positions and 6,500 hours.

Policy Impact Area: Community Services

Fiscal Impact: \$4,412,583 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1201

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 16, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$5,000 from the Florida Tourism Industry Marketing Corp., D/B/A Visit Florida, to provide funding for the Timucuan Trail State and National Parks website and rack cards, as initiated by B.T. 08-027. The bill provides for a carryover of the funds to Fiscal Year 2008-2009 and authorized the Mayor, or his designee, and the Corporation Secretary to execute documents to implement this ordinance. The Recreation and Community Services Department will provide City oversight.

Background Information: The rack cards will be distributed using the City of Jacksonville, Nassau County and the Jacksonville & The Beaches Convention and Visitors Bureau distribution channels. The cards will be available in the CVB's two visitor information centers, the Jacksonville Landing welcome center, the Cruise Terminal welcome center and the Jacksonville International Airport welcome center. Cards will also be available at willing stores, hotels and restaurants throughout the region. The rack cards will include the new Timucuan Trail website address.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This bill appropriates a State grant in the amount of \$5,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1202

Sponsor: Council President at the request of the Sheriff

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$114,200 in U.S. Department of Transportation grant funds to the Sheriff's Office to purchase laser and radar speed detection devices for speeding enforcement efforts.

Background Information: The federal grant does not require any local match.

Policy Impact Area: Traffic enforcement

Fiscal Impact: The bill appropriates a \$114,200 federal grant with no required local match.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1203

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 13, 2007

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

Date of Analysis: November 16, 2007

Type of Action: Appropriation/CIP Amendment

Bill Summary: This bill appropriates \$686,022 from the Metropolitan Park Maintenance and Improvement Fund to provide funding to dredge the Metropolitan Park Marina, as initiated by B.T. 08-031; provides for a carryover of funds into Fiscal Year 2008-2009; amends the 2007-2012 Five-Year Capital Improvement Program, approved by Ordinance 2007-814-E, to add a new project entitled "Metro Park Dredge." The bill designates the Public Works Department to oversee the project.

Background Information: Steve Nichols, formerly the City's Dock Master and Waterways Coordinator, and currently a member of the Jacksonville Waterways Commission, first brought the siltation concern at the Metropolitan Park Marina a couple of years ago. The Metropolitan Park Maintenance and Improvement Fund was created as a depository for docking fees that, in turn, would fund necessary improvements of the marina. The Metropolitan Park Marina is located in Council District 7.

Policy Impact: Recreation and Community Services Department/Waterways

Fiscal Impact: This bill appropriates \$686,022

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1204

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 16, 2007

Type of Action: Agreement Authorization

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute a Cross Easement and Termination Agreement between the City of Jacksonville and San Marco Train Station, LLC. Under the terms of the Agreement, the City and SMTS shall (1) provide each to the other grants of easement over their respective adjacent properties near the intersection of Hendricks Avenue and Cedar Street (in Council District 5), for the purpose of access, signage, utilities and parking, and (2) terminate certain existing easements over such properties according to the terms of the Agreement.

Background Information: San Marco Train Station, LLC, whose business address is 1258 Beach Boulevard, owns commercial property in San Marco, property that is adjacent to City-owned property. San Marco Train Station is developing the property for a restaurant and retail purposes. This legislation provides the framework for easements that the respective parties need.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1205

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 16, 2007

Type of Action: Easement Closure

Bill Summary: This ordinance closes and abandons and/or disclaims a portion of a drainage easement created by Map Book "D," Page 115, south of Emperor Drive between Brady Road and Flynn Road, in Council District 6. The applicant for the closure is Intracoastal Associates, LLC. And the purpose of the closure is to allow for relocation of the easement for proposed and existing drainage.

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

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a \$500 closure application fee.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1206

Sponsor: Council President at the request of the Supervisor of Elections

Date of Introduction: November 13, 2007

Committee(s) of Reference: R

Date of Analysis: November 15, 2007

Type of Action: Approval of changes to polling places

Bill Summary: The bill changes a number of precinct polling locations effective for the Presidential primary election of January 29, 2008 as follows:

<u>Precinct</u>	<u>From</u>	<u>To</u>
02	New Life Evangelistic Center 2016 Anniston Road	Regency Square Regional Library 9900 Regency Square Boulevard
02P	Alexander United Methodist Church 11132 Ft. Caroline Road	Police Athletic League 3450 Monument Road
02V	JEA Water Treatment Plan 102 Kernan Blvd. N.	FCCJ South - Wilson Center for the Arts 11901 Beach Boulevard
03C	Beachwood Civic Center 11758 Marina Drive	FCCJ South – Wilson Center for the Arts 11901 Beach Boulevard
03D	Christ Church at San Pablo 400 San Pablo Road	Isle of Faith United Methodist Church 1821 San Pablo Road
03L	Bermuda Cove Apartments 2001 Hodges Boulevard	Captains Club 13363 Beach Boulevard
03N	JEA Water Treatment Plan 102 Kernan Boulevard N.	Watson Realty Inc. 13001 Atlantic Boulevard
06C	Mandarin Regional Library 3990 Loretto Road	First Filipino Baptist Church 3846 Hartley Road
06H	First Baptist Church of Mandarin 3990 Loretto Road	St. Justin Martyr Church 12460 St. Augustine Road
06S	St. Justin Martyr Church	Mandarin Church of Christ

06P	12460 St. Augustine Road All Souls Anglican Church 10679 Old St. Augustine Road	12791 St. Augustine Road Christ Church 9791 St. Augustie Road
08O	Bethesda Park 10790 Key Haven Blvd.	New Life Community Church 11100 Wingate Road
10D	Victory Point 6750 Ramona Boulevard	Evangel Temple 5755 Ramona Boulevard
10V	Lane Wiley Senior Center 6710 Wiley Road	Hyde Park Baptist Church 2000 Lane Avenue S.
13B	Knights of Columbus hall 1401 2 nd Avenue N.	Bethlehem Lutheran Church 1423 8 th Avenue N.
13H	Atlantic Beach Assembly of God 680 Mayport Road	Community Presbyterian Church 150 Sherry Drive
13W	Southeast Regional Library 10599 Deerwood Park Blvd.	People's First Community Bank 8195 Point Meadows Way
13X	Redeemer Episcopal Church 7500 Southside Boulevard	Southeast Regional Library 10599 Deerwood Park Blvd.
14E	Avondale United Methodist Church 1651 Talbot Avenue	FCCJ – Kent Campus 3939 Roosevelt Boulevard
14I	The Church at Argyle 6823 Argyle Forest Boulevard	Hillcrest Baptist Church 7673 Collins Road

The following precinct remains in the same location, but the address of the building has changed:

09D Emmanuel Missionary Baptist Church – Old address: 2407 S.L. Badger Jr. Circle E.
New address: 2407 Division Street

Creation of a new precinct:

07Q Highlands Regional Library
1826 Dunn Avenue

Abolition of an existing precinct:

07M Kennedy Senior Center
1133 Ionia Street

Background Information: State law requires the council, acting as the county commission, to approve changes to polling locations recommended by the Supervisor of Elections.

Policy Impact Area: Polling place locations

Fiscal Impact: Minimal

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1207

Sponsor: Council Member Johnson:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 16, 2007

Type of Action: Preservation & Relocation Directive

Bill Summary: This ordinance directs the preservation and relocation of Fire Station #5, located at 347 Riverside Avenue, consistent with the City's contractual obligations with Fidelity National Financial, Inc., as stipulated in Ordinance 2005-503-E. This bill provides for a study and a recommendation to facilitate the relocation of Fire Station #5 and an appropriation. The study and recommendation are to be completed by March 31, 2008. The fire station is located in Council District 9.

Background Information: The City has determined that Fire Station #5 is of historic importance to the community. In the Land Swap Agreement authorized by Ordinance 2005-503-E between the City and Fidelity National Financial, the City conveyed a portion of the property where Fire Station #5 sits to Fidelity. Fidelity needed the parcel for the construction of a new building. The City waived all Historic Preservation Review prior to authorizing the conveyance of the fire station property to Fidelity. By virtue of an amendment to the Land Swap Agreement, if Fidelity decides to demolish the fire station, the City can exercise an option to relocate the fire station and Fidelity is required to contribute to the City an amount equal to the estimated costs of the demolition, as a contribution to relocating the fire station.

Policy Impact: Jacksonville Fire & Rescue Department/Historic Preservation

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1208

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

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 16, 2007

Type of Action: Tax-Exempt Financing Approval

Bill Summary: This ordinance approves the issuance of tax-exempt obligations (Pine Castle, Inc. Project) by the Jacksonville Economic Development Commission in an aggregate amount not to exceed \$3,100,000 to provide all or a part of the funds to finance the costs of the acquisition, construction and installation of social services facilities and improvements, to be owned and operated by Pine Castle, Inc. Pine Castle's main campus where the structure will be constructed is located at 4911 Spring Park Road in Council District 4.

Background Information: For the purpose of meeting requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, Pine Castle, Inc. has requested the Jacksonville Economic Development Commission to issue obligations, that is tax exempt financing consisting of a note and mortgage from Regions Equipment Finance Corporation, to finance a new Enrichment Center that Pine Castle proposes to construct. Pine Castle, organized in 1952, is a Florida nonprofit corporation that provides service and facilities to the developmentally disabled (mental retardation, down syndrome, cerebral palsy). The services include vocational training, community job placement, residential housing in the greater Jax area. JEDC has been created to act as the sole industrial development authority for Jacksonville, enabling the agency to issue Industrial Revenue Bonds or similar tax exempt financing. By utilizing JEDC's IRB program, Pine Castle will be eligible to borrow funds on a tax-exempt basis which results in a cheaper cost of borrowed capital to finance the new Enrichment Center. The new building will include classrooms, computer labs, an assembly room, sport/recreational facilities and a therapy room. Pine Cast will be able to service approximately 41 new individuals and anticipates that eleven new jobs will be created.

Policy Impact: Jacksonville Economic Development Commission

Fiscal Impact: This ordinance approves JEDC's issuance of obligations in an aggregate amount not to exceed \$3,100,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1209

Sponsor: TEU Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 15, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and 4259 U.S. 1, LLC for a mixed use commercial project known as Clinton Plaza - Retail. The fair share assessment is \$220,054 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 528 p.m. peak hour trips being generated on links in fair share fund sector 3.3 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Philips Highway – J. Turner Butler Blvd. to University Blvd.	95
Philips Highway – University Blvd. to Emerson Street	177
Philips Highway – Emerson Street to Atlantic Blvd (at I-95)	65
Emerson Street - Philips Highway to Emerson St. Expressway	84
University Boulevard – Powers Ave. to Philips Highway	53
Bowden Road – Philips Highway to I-95	54

Background Information: The project consists of up to 73,825 sq. ft. of retail uses, a 3,915 sq. ft. fast food restaurant with drive-through, and a 4,985 sq. ft. bank with drive-throughs on 9.701 acres on Philips Highway between Clinton Avenue and Putnam Avenue in Council District 4.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$220,054 to the Sector 3.3 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1210

Sponsor: TEU Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 15, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Dudley Boys II, LLC for mixed-use commercial a project known as 301 Commercial Park – Phase II – North Parcel. The fair share assessment is \$3,171,406 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 2,004 p.m. peak hour trips being generated on links in fair share fund sector 4.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Beaver Street W. – Nassau County line to US 301	24
Beaver Street W. – US 301 to Otis Road	129
I-10 – US 301 to SCLRR	314
I-10 – SCLRR to I-295	607
US 301 – Baldwin city limits south to Normandy Blvd.	892
Yellow Water Road – Normandy Blvd. to Beaver Street	38

Background Information: The project consists of up to 217,500 sq. ft. of warehouse space, 82,500 sq. ft. of retail uses, two 5,000 sq. ft. convenience store/gas stations, three 6,000 sq. ft. banks with drive-through lanes, five 7,000 sq. ft. sit-down restaurants, five 2,500 sq. ft. fast food restaurants with drive-throughs, two 1,200 sq. ft. fast food restaurants with drive-throughs, and three 4,500 sq. ft. bars on 36.55 acres on the east side of U.S. 301 between Deep Creek Road and East Fiftone Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$3,171,406 to the Sector 4.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1211

Sponsor: TEU Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 15, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Johnny L. Dudley for a commercial project known as Duval Road Commercial. The fair share assessment is \$154,698 with a 7-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 58 p.m. peak hour trips being generated on links in fair share fund sector 6.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Duval Road – Airport Center Drive to Main Street	58

Background Information: The project consists of a bank and up to 4,500 sq. ft. of additional retail uses on 1.38 acres near the intersection of Duval Road and Hyatt Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$154,698 to the Sector 6.1 account.

Analyst: Clements

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-1212

Sponsor: TEU Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 15, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Katsikos and Kern Partners, LLC for residential a project known as Pecan Park West. The fair share assessment is \$3,926,471 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 1,453 p.m. peak hour trips being generated on links in fair share fund sector 6.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Pecan Park Road – Dixie Clipper Drive to I-95	585
Pecan Park Road – I-95 to Main Street	303
I-95 – Airport Road to Pecan Park Road	538
Main Street – Pecan Park Road to New Berlin Road	27

Background Information: The project consists of up to 749 single family dwellings on 344.6 acres located west of I-95 at the end of Butch Baine Drive East in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$3,926,471 to the Sector 6.2 account.

Analyst: Clements

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-1213

Sponsor: TEU Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 15, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Hart Land Development, Inc. for a residential project known as Tara Cove Apartments. The fair share assessment is \$216,209 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 114 p.m. peak hour trips being generated on links in fair share fund sector 4.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
103 rd Street – Old Middleburg Road South to I-295	55
103 rd Street – Normandy Boulevard to Old Middleburg Road South	59

Background Information: The project consists of 112 apartment units on 14.48 acres on 103rd Street between Piper Glen Boulevard and Connie Jean Road in Council District 12.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$216,209 to the Sector 4.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1214

Sponsor: Council President at the Request of the Jacksonville Historic Preservation Commission and Council Member Johnson

Date of Introduction: November 13, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 14, 2007

Type of Action: Landmark Designation

Bill Summary: This bill designates the Church of God Auditorium at 1445 Steele Street as a landmark and landmark site, finding that the subject property meets at least 2 of the criteria required for such designation. The Zoning Administrator is directed to place said designation in the Zoning Atlas. Also, the Council Secretary is directed to notify each applicant, property owner, and the Property Appraiser of the designation, and to record this ordinance in the public records for Duval County.

Background Information: The property is located at the northeast corner of Steele and Blue streets. Criteria met include: (1) value as a significant reminder of heritage; and (2) suitability for preservation. The Planning and Development Dept. has recommended approval.

Policy Impact Area: Historic Preservation

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1215

Sponsor: Land Use and Zoning Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 14, 2007

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Pine Grove Plantation Developers, LLC, authorizing the Mayor and Corporation Secretary to execute said agreement on behalf of the City.

Background Information: The development is to be known as Pine Grove Plantation Commercial Parcel, and it consists of a portion of approximately 381.30 acres on the north side of Garden Street, in the vicinity of Jones Road and Shane Road. Plans are for 40,000 enclosed square feet of shopping center use, subject to a performance schedule and the payment of an annual renewal fee for the purpose of reserving traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1216

Sponsor: Land Use and Zoning Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 14, 2007

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with New Kings Road, LLC, authorizing the Mayor and Corporation Secretary to execute said agreement on behalf of the City.

Background Information: The development is to be known as Kings Crossing, and it consists of approximately 67.71 acres on the west side of New Kings Road, north of Woodley Road. Plans are for 600 condominium dwelling units, subject to a performance schedule and the payment of an annual renewal fee for the purpose of reserving traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1217

Sponsor: Land Use and Zoning Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 14, 2007

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with George Bateh, authorizing the Mayor and Corporation Secretary to execute said agreement on behalf of the City.

Background Information: The development is to be known as Ramallah Business Park, and it consists of approximately 5.05 acres located on the west side of St. Johns Bluff Road North, between Craig Drive and Rufus Lane. Plans are for 50,000 enclosed square feet of office use and 60,000 enclosed square feet of mini-warehouse use, subject to a performance schedule and the payment of an annual renewal fee for the purpose of reserving traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1218

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

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 16, 2007

Type of Action: Authorization and Approval of Amended Agreement

Bill Summary: This ordinance approves and authorizes the execution and delivery of a Second Amended and Restated Interlocal Agreement between the City of Jacksonville and the Jacksonville Port Authority and approves the termination of the related financial agreement dated November 5, 1996 between the City and JEA, each relating to a joint agency financing plan for the benefit of the Jacksonville Port Authority. The Port Authority is located in Council District 7.

Background Information: The Amended Interlocal Agreement between the City and the Jacksonville Port Authority provides that the City will not issue any additional ETR Bonds, except for certain refunding ETR Bonds and that monthly payment of certain revenues to the Port Authority of all Interlocal Agreement Revenues will be on a monthly basis, rather than yearly. The changes will enable JPA to issue bonds and/or its commercial paper notes to finance certain marine projects.

Policy Impact: Jacksonville Port Authority

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1219

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

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 16, 2007

Type of Action: Approval of Revenue Bond Issuance

Bill Summary: This ordinance approves the issuance of revenue bonds and/or commercial paper notes by the Jacksonville Port Authority in an aggregate principal amount not to exceed \$175,000,000, to finance or refinance all or a part of the costs of the acquisition, construction and installation of certain marine capital projects. In addition, the ordinance repeals Resolution 2006-199-A.

Background Information: This legislation authorizes up to \$175,000,000 debt via the issuance of Jacksonville Port Authority Revenue Bonds and/or its Commercial Paper Notes for financing the costs of the acquisition, construction and installation of certain marine projects. The projects include: acquiring approx 96 acres of land located at 1915 Wigmore Street; approx 11.163 acres of land located at 4300 Talleyrand Avenue; approx 12.99 acres located at 2470 Talleyrand Ave; approx 33.21 acres at 1611 Talleyrand; Approx 61.83 acres at 1163 Talleyrand; approx 47.5 acres located on the south side of New Berlin Road between Dames Point Road and Lombardo Ave; approx 35 acres located on the north side of New Berlin Rd between New Berlin Court and the back channel of the St. Johns River; approx 8.61 acres located at 3724 Heckscher Dr; approx 195 acres of land boarded on the north side by Heckscher Dr, on the west side by Draft Rd and on the east side by the St. Johns River; approx 146 acres of land located at 94 E. Port Road; harbor deepening and dredging. Resolution 2006-199-A is repealed because that legislation authorized and approved the issuance of revenue bonds in an aggregate amount not to exceed \$75,000,000.

Policy Impact: Jacksonville Port Authority

Fiscal Impact:

Analyst: Jackson

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2007-1220

Sponsor: Council Member Corrigan:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 16, 2007

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$156,680 from the Tree Protection and Related Expenses Trust Fund account for the landscaping of the Argyle Forest Boulevard from Blanding to West Port Road. The ordinance amends the 2007-2012 Five Year Capital Improvement Program, approved by Ordinance 2007-814-E, for the project entitled "Argyle Forest Boulevard Landscaping." The Department of Public Works is designated to oversee the project.

Background Information: The landscaping project entails the planting of Live Oak (35), Nuttall Oak (16), Holly (35), Crape Myrtle (35), Allee Elm (19), Bald Cypress (7), and River Birch (7).

Policy Impact: Tree Protection and Related Expenses Trust Fund

Fiscal Impact: This bill appropriates \$156,680

Analyst: Jackson

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2007-1221

Sponsor: Council Member Holt:

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 16, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$27,980 from the San Mateo Neighborhood Park 1999A ETR Bond account to Tom Marshall Park, located at 1471 Elmar Rd. The Public Works Department is designated to oversee the project. The project site is in Council District 11.

Background Information: The appropriated funds in this ordinance are allocated for baseball fields (outfield barrier netting).

Policy Impact: Recreation & Community Services Department

Fiscal Impact: This bill appropriates \$27,980

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1222

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; PHS

Date of Analysis: November 14, 2007

Type of Action: Ordinance Amendment

Bill Summary: This bill makes findings of fact, and amends Ordinance 2004-889-E (1) to now state the purpose of the appropriation as being to provide funding to JaxCare, Inc., to transition out of the health flex pilot program into a modified and sustainable program and (2) to state the intent to provide support for the pilot program transition through December 31, 2009. Approval is given for an Amendment Number Two to Agreement between the City of Jacksonville and JaxCare, Inc., for the Provision of Services for the JaxCare Health Flex Pilot Program. Said amendment adds a new Transition Summary as Exhibit C to the agreement and extends the term of operation of the pilot program from December 31, 2007, to December 31, 2009. The Mayor and Corporation Secretary are authorized to execute said amendment.

Note: The ordinance number cited on page 4, line 18, needs correction as to the year

Background Information: Ordinance 2004-889-E authorized the JaxCare, Inc., Health Flex Pilot Program. JaxCare is a public/private partnership to improve healthcare quality and raise the health status of our community's residents with particular attention to the needs of the working uninsured and their families. The lessons of the pilot program have identified modifications in order to provide better care for more people at less cost. Amendment One extended the term of the program to December 31, 2007.

Policy Impact Area: Community Services-Healthcare

Fiscal Impact: Undetermined; the bill states that lawfully appropriated funds continue to be available, and that the revised program can be executed for an additional 24 months until December 31, 2009, without appropriating additional funds.

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1223

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 14, 2007

Type of Action: Ordinance Amendment

Bill Summary: This bill further extends the duration of the interim rezoning deferment set forth in Ordinance 2006-191-E, and previously extended to December 31, 2007, by Ordinance 2007-563-E, to March 31, 2008, or the date repealed by Council, whichever is earlier. All other findings, directives, and exemptions provided by ordinance remain in full force and effect until March 31, 2008 (please see note below), or the date repealed by Council, whichever is earlier.

Note: Page 2, line 12, needs correcting concerning the date (March 31, 2008, rather than December 31, 2007)

Background Information: Ordinance 2006-191-E directed the Planning and Development Department to undertake a special planning study of the Riverside/Avondale Neighborhood Area to develop specific recommendations for the creation of a special zoning overlay or other design-related regulations to preserve the unique and historic integrity of the Area. It further imposed an interim rezoning deferment in said area, specifically limited to conventional and Planned Unit Development rezoning applications which would authorize multi-family or commercial structures over 35 feet in height by right. In order to provide adequate time for completion of the zoning overlay, the further extension of the deferment has been requested.

Policy Impact Area: Planning and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2007-1224

Sponsor: Finance Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: F

Date of Analysis: November 15, 2007

Type of Action: Certification of 2006 tax roll errors, insolvencies and discounts

Bill Summary: The bill certifies the amount of errors, insolvencies and discounts to the 2006 tax roll as follows:

Non-Ad Valorem Errors and Insolvencies	\$ 0.00
Non-Ad Valorem Discount Allowed	<u>\$ 152,543.34</u>
Total	\$ 152,543.34
Real Estate Errors and Insolvencies	\$ 15,642.59
Double Assessments	00.00
Real Estate and Tangible Personal Property Discounts	\$32,531,263.86
Federal Bankruptcies	<u>\$ 2,709,383.78</u>
Total	\$35,256,290.23

Background Information: Florida Statutes require the Tax Collector to report to the Council (in its role as county commission) such errors, discounts, and insolvencies for which he is to receive credit on non-ad valorem assessments and on the real and tangible personal property included on the tax roll during each tax year. The largest credit is due to the discount for early payment.

Policy Impact Area: Tax roll certification

Fiscal Impact: The allowed credits and discounts total \$35,256,290.23.

Analyst: Clements

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Bill Type and Number: Resolution 2007-1225

Sponsor: Council Member Bishop at the request of the Waterways Commission:

Date of Introduction: November 13, 2007

Committee(s) of Reference: RCD

Date of Analysis: November 16, 2007

Type of Action: Plan Approval

Bill Summary: This resolution approves the Duval County Manatee Protection Plan (2006-2007 Update). Upon approval, the Chief of Legislative Services will transmit the approved plan to the Florida Fish & Wildlife Conservation Commission.

Background Information: The Florida Fish & Wildlife Conservation Commission mandates that counties that have manatees in their respective bodies of water have a manatee protection plan as a component of the counties' comprehensive plans. Manatees have been designated by the U.S. Department of the Interior (and the State of Florida) as a threatened species of wildlife. When the Manatee Protection Plan was initially conceived and created, manatees were designated as endangered. A considerable number of manatee fatalities result from manatee collisions with motorboats. When a County exceeds more than five (5) manatee fatalities in a year, the State of Florida can suspend permits for marinas and other marine-related construction projects, generating a review of the effectiveness of the County's protection plan. Regulating the speed of motorboats and larger vessels in waters where manatees are likely to be grazing or mating is a component of the protection plan. The Jacksonville Waterways Commission reviewed and approved the 2006-2007 update at its November 1, 2007 meeting. The City contracts Jacksonville University (Dr. Quinton White and Dr. Gerard Pinto) to undertake the manatee surveys and prepare the Manatee Protection Plan.

Policy Impact: Manatees/Waterways

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2007-1226

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 14, 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, perpetual easements for drainage, and/or temporary construction easement rights in various lands, all relative to the Girvin Road Improvement Project (Atlantic Boulevard to Wonderwood Expressway). The Office of General Counsel is authorized and directed to institute appropriate legal proceedings.

Background Information: The improvements are part of a Better Jacksonville Plan project. Information from the Real Estate Division indicates that 103 parcels (\$810,000) are involved.

Policy Impact Area: Real Estate; Streets and Drainage; Office of General Counsel; Condemnations; Better Jacksonville Plan

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2007-1227

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 14, 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, perpetual easements for drainage, and/or temporary construction easement rights in various lands, all relative to the Ft. Caroline Road Right-of-Way Project. The Office of General Counsel is authorized and directed to institute appropriate legal proceedings.

Background Information: The improvements are part of a Better Jacksonville Plan project, and involve a new drainage system, 3 traffic lanes, sidewalks, curbs, and gutters. The scope of the project begins at Caroline Vale Boulevard and ends at the merger of Ft. Caroline Road and Merrill Road. Information from the Real Estate Division indicates that 52 parcels are involved.

Policy Impact Area: Real Estate; Streets and Drainage; Office of General Counsel; Condemnations; Better Jacksonville Plan.

Fiscal Impact: Undetermined

Analyst: Campbell