

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

**JEFFREY R. CLEMENTS**  
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**Bill Type and Number:** Ordinance 2012-674

**Introducer/Sponsor(s):** Council Members Bishop and Redman

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 122 – Public Property, Chapter 636 – Traffic and Parking, and Chapter 802 –Public Parking to make numerous revisions to the City’s regulations and charges for public parking at meters and in parking lots (including the establishment of flexible, competitive parking rates at public facilities), parking for public officials, parking for persons with disabilities, and enforcement of parking regulations. The bill authorizes the Economic Development Officer (EDO) to develop hourly, monthly and special event rates for municipal parking lots to meet three objectives: 1) be competitive with private parking facilities; 2) provide for most efficient use of City facilities; and 3) achieve other economic development and downtown revitalization goals, which may include a discount program for customers who lease large numbers of parking spaces and/or commit to long-term contracts. The rate program may include graduated rates, discounted smartcards, waivers of parking regulations for particular events, and other options. The rates must be filed with the City Council and will be considered effective upon filing unless the Council passes an ordinance to the contrary.

The bill changes the late fee for non-payment of parking tickets to remove the existing fixed late fees charged after 15 and 30 days of non-payment and provides for a new late fee of 50% of the ticket amount after 30 days and an additional 50% after 60 days. It provides that parking meter zones shall be established by the Public Parking Officer rather than the City Highway Engineer, with the approval of the Sheriff. It changes the authority for reserving parking meters for construction work vehicles from the Building Inspection Division to the Office of Public Parking and expands the authority to rent meters for business purposes other than construction, except that meter rental for customer or employee parking is prohibited. It authorizes meter payment via means other than coins. The bill makes it a Class D offense to remove a vehicle immobilizing device (a “boot”).

**Background Information:** The bill is intended to allow the Office of Economic Development to manage parking resources as a City asset to meet public parking needs and to contribute to the revitalization of downtown by using parking as an incentive mechanism.

**Policy Impact Area:** Public parking; downtown redevelopment

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-675

**Sponsor:** The Transportation, Energy & Utilities Committee:

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Street Renaming

**Bill Summary:** The ordinance regards Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code*; renaming Cypress Drive which extends a distance of 821 feet from San Pablo Road south to Cherry Avenue in Council District 3 to "Cocoanut Road"; directs the Legislative Services Division to forward this ordinance to the Planning & Development Department.

**Background Information:** The Planning & Development Department has discovered that Cypress Drive which extends east from San Pablo Road South approximately 821 feet to Cherry Avenue should be changed to a new street name; on November 30, 2011, the 911 Emergency Addressing Advisory Committee determined that 1670 Cocoanut Road should be changed to a San Pablo Road address to property reflect its true access to San Pablo Road South. The Planning Department has learned that a developer is currently constructing a new apartment complex on San Pablo Road South. Roadway improvements surrounding the apartment project will cause Cypress Drive to be constructed to connect to Cocoanut Road which will require a name change to Cocoanut Road to identify the entire road length under a single road name. On March 15, 2012, the Planning & Development Department notified the property owners of the four (4) affected properties; a public meeting was held on April 4, 2012; one property owner attended. The street name change affects the street addresses of four (4) residential properties.

**Policy Impact:** Addressing and Street Naming Regulations/Ordinance Code/Planning & Development Department

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-676

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Economic Development Agreement Approval; "QTI" Recommendation; Financial Commitment; Policy Compliance Affirmation.

**Bill Summary:** The ordinance approves and authorizes an Economic Development Agreement between the City of Jacksonville and Zetor North America, Inc. ("company") to support the expansion of the company's operations in Jacksonville; recommends that the company be approved by the State of Florida's Department of Economic Opportunity as a Qualified Target Industry ("QTI") business pursuant to Florida Statutes; evidencing a commitment of City support in an amount not to exceed \$8,000 as the local financial support under the QTI Tax Refund Program payable over multiple years, with a State match of \$32,000, for a total City and State QTI amount of \$40,000 for ten jobs; provides for City oversight by the OED; affirms the project's compliance with the Public Investment Policy adopted by Resolution 2006-119-A.

**Background Information:** Zetor North America, Inc. a subsidiary of Zetor SA, a manufacturer of agricultural tractors and implements located in the Czech Republic. ZNA, headquartered in Harrisburg, PA, is evaluating relocating and expanding their North America corporate headquarters to Jacksonville. The company currently employs 7 in the United States and they are proposing to add 3 additional employees no later than December 31, 2013. The average wage of the employees is \$64,000 per year plus benefits. ZNA imports tractors, loaders, agricultural implements and related products for distribution to dealer throughout the United States & Canada. Relocation to Jacksonville would entail the leasing of a facility comprising 16,000 square feet with the ability to expand. The company proposes to lease the facility at 5784 Mining Terrace, located in Council District 5. The estimated private capital investment is \$100,000 during years 2012 and 2013.

**Policy Impact:** Economic Development/Office of Economic Development

**Fiscal Impact:** The ordinance approves an Economic Development Agreement, with a City commitment of \$8,000 as evidence of local support for a "QTI"

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-677

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Surplus Declaration

**Bill Summary:** The ordinance declares that a parcel of real property (R.E. # 107961-0020) located at 212 Oceanway Avenue, in Council District 11, to be surplus to the needs of the City; it authorizes the Mayor and Corporation Secretary to execute any and all documents necessary for such sale, in accordance with the provisions of Part 4, Chapter 122, *Ordinance Code*.

**Background Information:** The property consists of a 1,630 square foot concrete block building situated on a 75 x 100 foot lot. The parcel was acquired in 1971 and was utilized for many years by the Duval County Health Department (DCHD). DCHD no longer has a need for the building. The Real Estate Division has investigated the parcel among the various municipal agencies and no need to retain the parcel was found.

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

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-680

**Introducer/Sponsor(s):** Council President at the request of the Downtown Investment Authority

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 55 – Economic Development – to delete language referencing a requirement of the Downtown Investment Authority to develop a set of qualifications and criteria for the CEO of the DIA to be approved by City Council prior to hiring a CEO and to adopt and reference “DIA CEO Qualifications and Criteria Schedule” attached as an addendum to the subsection.

**Background Information:** During the City Council’s adoption of the bill creating the Downtown Investment Authority there was debate about whether the qualifications for the CEO of the DIA should be determined the City Council and codified or whether the discretion should be left to the DIA board to determine the qualifications without Council approval. The bill was worded to require that the qualifications should be codified as are the qualifications for other department directors and division chiefs. The qualifications for the CEO position include the following:

- At least a bachelor’s degree in the fields of city planning, real estate, finance, public administration, urban design, or the like; a master’s degree is strongly preferred.
- Minimum of 8 years of progressively responsible experience in downtown redevelopment or a related field, including 4 years of supervisory experience.
- Demonstrated experience as a visionary with the ability to see beyond the present.
- Knowledge of downtown and community central core development issues, community building, neighborhood engagement and transportation-oriented developments, among others.
- Strong economic development credentials within the public and private sectors.
- Ability to establish and maintain effective working relationships with civic leaders, City officials and the public.

**Policy Impact Area:** Downtown Investment Authority operations

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-681

**Introducer/Sponsor(s):** Council Member Crescimbeni

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 104 – Bonds – in Part 3 – Industrial Development Revenue Bonds – to remove references to the Jacksonville Economic Development Commission and to insert language making the City Council the only issuer of IRBs in Jacksonville. References to the Executive Director of the JEDC are removed and replaced with references to the Economic Development Officer. The bill also defines the Industrial Development Revenue Bond Review Committee to consist of: the Economic Development Officer or his or her designee; the Chair of the Council’s Finance Committee or his or her designee; and the City’s Chief Financial Officer or his or her designee.

**Background Information:** The Code currently provides that IRBs may be issued by the JEDC (where it is specifically authorized to do so) or by the City Council. With the dissolution of the JEDC, reference to that body needs to be removed from the Code. This bill provides that the IRB Bond Review Committee shall review applications for bonds, report its recommendation to the Finance Committee, and submit authorizing legislation to the City Council for its consideration. The current Sec. 104.307 of the Code references a JEDC Industrial Development Revenue Bond Review Committee, but the composition of the committee is not spelled out. This bill establishes the membership of the committee in the ordinance, but does not codify the membership in the Ordinance Code.

**Policy Impact Area:** Industrial development revenue bond procedures

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-682

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Redevelopment Agreement Approval; Loan Authorization; Appropriation; Ordinance Code Waiver

**Bill Summary:** The ordinance approves and authorizes the execution of Redevelopment Agreement between the City of Jacksonville and L & J Diesel Services, Inc. ("company") to support the expansion of the company's operations in Jacksonville (the "project"); it authorizes a Countywide Economic Development Loan of \$200,000 as indicated by B.T. 13-12; the ordinance appropriates funds not to exceed \$200,000; provides a carryover of funds from year to year until such funds are expended or lapse according to the Agreement; approves of the execution of documents by the Mayor and Corporation Secretary; authorizes the approval of technical amendments by the OED Executive Director; timeline for execution of Agreement by the company; waives that portion of the Public Investment Policy adopted by Resolution 2006-119-A .

**Background Information:** Headquartered in Jacksonville, located at 5323 Lennox Avenue, L & J Diesel Service, Inc. is a re-manufacturer of diesel engine fuel injectors and is the O.E.M. manufacturer of test and calibration equipment marketed under the brand "L & J Dieselogic." L & J has outgrown its existing 5,500 square foot building and proposes to relocate to a larger manufacturing building within the City's Enterprise Zone. L & J proposes to purchase an existing building located at 333 Lenox Avenue, retain their existing 14 full-time employees and create up to 20 new, full-time jobs no later than December 31, 2015. The average wage of the new jobs to be added is approximately \$39,856. L & J estimates that this project will result in fixed asset purchases of \$2,600,000 comprising building acquisition and renovations, purchases of manufacturing machinery, equipment and furniture. L & J is seeking public investment through a \$200,000 County-Wide Economic Development Grant/non-interest bearing loan that is provided to stimulate business investment within targeted areas of the city, increase the tax base in those areas and create access to jobs for area residents. The project site is located in Council District 9. There is a clawback in the event that the company fails to create the 20 new full-time jobs within 36 months of the project's completion.

**Policy Impact:** Economic Development/Office of Economic Development

**Fiscal Impact:** The ordinance authorizes a Redevelopment Agreement that commits the City to a \$200,000 loan to the company.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-683

**Introducer/Sponsor(s):** Council President at the request of the Jacksonville Housing Finance Authority

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Authorization to issue mortgage credit certificates; authorizing exchange of bond cap authorization for mortgage credit certificates; appropriation

**Bill Summary:** The bill authorizes the Jacksonville Housing Finance Authority to partner with Hillsborough County to implement a single family mortgage assistance program financed by mortgage credit certificates (MCCs). The JHFA is authorized to issue up to \$15 million in MCCs to generate funding for first and second mortgages for homebuyers and for downpayment assistance. The MCCs will be packaged and sold as mortgage backed securities through Hillsborough County, which already has an MCC program in operation. The bill authorizes the JHFA to exchange up to \$60 million in state private activity bond issuance capacity for up to \$15 million in MCC issuance capacity. The bill appropriates \$250,000 of the proceeds for a downpayment assistance program, \$50,000 for the costs of issuance of the MCCs, and \$1,500,000 to finance the purchase of mortgage backed securities.

**Background Information:**

**Policy Impact Area:** Affordable housing

**Fiscal Impact:** The bill authorizes the JHFA to issue up to \$15 million in mortgage credit certificates and appropriates \$250,000 of the proceeds for a downpayment assistance program, \$50,000 for the costs of issuance of the MCCs, and \$1,500,000 to finance the purchase of mortgage backed securities.

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2012-684

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Approving hiring of special counsel; appropriation

**Bill Summary:** The bill authorizes the General Counsel to retain the law firm of Finger and Nelson, PLLC, to act as special counsel to the City for environmental issues at a cost not to exceed \$50,000. The bill appropriates \$50,000 from the Office of General Counsel's salary account to its professional services account to provide funding for the contract.

**Background Information:** Kristina Nelson, the City's current environmental attorney, is leaving the Office of General Counsel to reenter private practice. This bill provides authorization for the General Counsel to hire Ms. Nelson's firm to continue handling the current environmental law caseload while a search is conducted for a new in-house attorney. The professional services agreement with the firm of Finger and Nelson caps monthly billings at \$7,500 and requires the firm to notify the General Counsel when \$35,000 has been billed. The \$50,000 funding allocation should carry the contract through approximately 6 months while the search and hiring of the new attorney takes place.

**Policy Impact Area:** Office of General Counsel operations

**Fiscal Impact:** The bill appropriates \$50,000 from the OGC's salary account to a professional services account for the purpose of hiring outside counsel.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-685

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Lease Agreement Authorization

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a lease agreement between the City of Jacksonville, Tax Collector (Lessee), and Crown Point Plaza Land Trust (Lessor), for the lease of 6,700 square feet of office space at 10131-24 San Jose Boulevard, for ten (10) years at an initial rental rate of \$12.13 per square foot.

**Background Information:** The current lease that the Tax Collector has for its branch office in Mandarin expired on September 30, 2012. The Tax Collector has opted to relocate and lease other office space that is more satisfactory to the Tax Collector's needs (e.g., the current branch office does not have secure space for cash balancing; there are parking concerns; and the landowner is unwilling to continue leasing the office space for the below market rate that the Tax Collector is currently paying). This ordinance authorizes the execution of a new lease for a ten (10) year period.

**Policy Impact:** Tax Collector

**Fiscal Impact:** For the lease's execution, minimal fiscal impact.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-686

**Sponsor:** Council President at the request of the Tax Collector:

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Appropriation

**Bill Summary:** The ordinance appropriates \$760,000 from the Tax Collector's Interest Earning Account to provide one-time funds for the relocation of the Mandarin branch of the Tax Collector's Office, as initiated by B.T. 12-097; provides that the funds carryover and not lapse.

**Background Information:** The expiration date for the lease that the Tax Collector's Office currently has for the Mandarin branch office was September 30, 2012. The Tax Collector's Office currently leases the space (San Jose Boulevard) at a reduced market rate. The landlord has advised the Tax Collector that there are prospective tenants for the space that are interested in leasing the space at market rate; the landlord is therefore unwilling to continue to lease the space to the Tax Collector's Office at the current or reduced rate. In addition, the current branch office is inadequate to the needs of the Tax Collector in that there is no secure space for balancing cash. With new restaurants opening, parking has become a problem. The relocated branch office is at the corner of San Jose Boulevard and Crown Point Road (Crown Point Plaza). The site is located in Council District 6.

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

**Fiscal Impact:** The ordinance appropriates \$760,000.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-687

**Sponsor:** Council President at the request of the Jacksonville Historic Preservation Commission:

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Landmark Designation

**Bill Summary:** The ordinance regards Chapter 307 (Historic Preservation), *Ordinance Code*; designates the former Lola Carver Elementary School located at 580 Lawton Avenue, owned by Goospacecat LLC/Stacey Poole, in Council District 7, as a landmark structure; it directs the Zoning Administrator to enter the landmark designation on the Zoning Atlas; the ordinance directs the Chief of Legislative Services to notify each applicant, the property owner and the Property Appraiser of the landmark designation and to cause said designation to be recorded in the Public Records of Duval County, Florida.

**Background Information:** The Lola Carver Elementary School was constructed in 1915 and opened in 1916 to serve the residents of the Panama Park community. The property owners within 350 feet of the boundaries of the designated landmark site have been notified of the intent to designate the property as a landmark. In September 2012, the Jacksonville Historic Preservation Commission reviewed and recommended approval of the designation of landmark.

**Policy Impact:** Historic Preservation

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2012-688

**Sponsor:** The Recreation and Community Development Committee:

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Ad Valorem Tax Exemption

**Bill Summary:** The resolution concerns an ad valorem tax exemption for the rehabilitation of the landmark structure located at 580 Lawton Avenue owned by Stacey Poole; the exemption is for one hundred (100%) of the value of rehabilitation for a period of ten (10) years from January 1, 2013 to December 31, 2022.

**Background Information:** The Lola Culver Elementary School (also known as the old Panama Park School) was opened in 1916. The school was declared surplus by the Duval County Public Schools. The structure currently houses a private charter school, the North Florida Educational Institute. The costs for the rehabilitation work of the structure are \$354,902. The Planning and Development Department has determined that the property is a locally designated landmark structure in the Panama Park area and qualifies as an improvement project. The Planning and Development Department found that the qualifying improvement project for the property to be consistent with the *Secretary of the Interior's Standards for Rehabilitation*.

**Policy Impact:** Historic Preservation/Tax Exemptions/Planning & Development Department

**Fiscal Impact:** The estimated maximum loss in ad valorem taxes in the first year of the exemption is \$3,561.00.

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2012-689

**Sponsor:** The Recreation and Community Development Committee:

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 16, 2012

**Type of Action:** Tax Exemption Approval

**Bill Summary:** The ordinance approves an ad valorem tax exemption for the rehabilitation of the Springfield Historic District contributing structure located at 1903 Market Street North owned by Jennifer Medina; the exemption is for one hundred percent (100%) of the value of rehabilitation for a period of ten (10) years from January 1, 2013 to December 31, 2022.

**Background Information:** The two story stucco building was constructed in 1927; when erected, the building was a church and is representative of the Spanish Mission architectural style. It is a recognized structure in the neighborhood that has been re-zoned residential. Estimated costs attributed solely to the rehabilitation work on the structure are \$135,000. The Planning and Development Department has determined that the property qualifies as a contributing structure in the Springfield Historic District and the improvement project is consistent with the Secretary of the Interior's *Standards for Rehabilitation*. The structure is currently houses a private charter school.

**Policy Impact:** Historic Preservation/Tax Exemptions/Planning & Development Department

**Fiscal Impact:** The estimated maximum loss in ad valorem taxes in the first year of the exemption is \$1,354.70.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2012-690

**Introducer/Sponsor(s):** LUZ Committee

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Resolving appeal of Planning Commission decision

**Bill Summary:** The bill rules on an appeal of a decision made by the Planning Commission to approve a zoning exception for MM Avondale, LLC (d/b/a Mellow Mushroom) and Emly Benham to allow retail sales and service of alcoholic beverages for on-premises consumption indoors and outdoors at 3601 and 3611 St. Johns Avenue in the Shoppes of Avondale area.

**Background Information:** The LUZ Committee will hear the appeal at an upcoming special meeting and will make a recommendation to the full Council on whether to uphold or overturn the appeal. The Planning Department recommended approval of the exception with conditions: 1) no amplified music or live entertainment in the outside patio area after 9:00 p.m.; 2) dumpster shall be screened and compliant with the Zoning Code; and 3) the restaurant shall not exceed 198 seats and 14 employees, including any outdoor sales and service area. Riverside Avondale Preservation and several area residents have appealed the grant of the exception.

**Policy Impact Area:** Zoning exception appeal

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-691

**Introducer/Sponsor(s):** LUZ Committee

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Resolving appeal of Jacksonville Historic Preservation Commission decision

**Bill Summary:** The bill rules on an appeal by Alicia Grant of Avondale of the Jacksonville Historic Preservation Commission's decision to grant MM Avondale, LLC (d/b/a Mellow Mushroom restaurant) a Certificate of Appropriateness (COA), with conditions, for construction of a new building and associated site improvements at 3601 St. Johns Avenue in the Shoppes of Avondale area.

**Background Information:** The LUZ Committee will hear the appeal at an upcoming special meeting and will make a recommendation to the full Council on whether to uphold or overturn the COA on appeal. MM Avondale requested the COA to demolish a non-historic structure and to build a new building which would tie into another existing building on the site for the purposes of opening a new restaurant. The Planning Department recommended approval of the COA with conditions. The Historic Preservation Commission approved the COA with conditions, which include: the Ingleside Avenue elevation shall include an operable, in-swing window to resemble casement windows in each bay; will signage shall be approved under a separate COA application; maintenance or establishment of a landscaped area between the parking area and sidewalk on the Ingleside Avenue portion of the property; any fee-standing light fixtures shall have a black or dark bronze finish and be approved by the City prior to purchase; final building lighting, canopies, transoms, doors and other building materials shall be approved by the City; all gridded transoms shall have raised exterior muntins; the rear elevation of building 2 shall be covered with a trellis; the parking lot knee wall shall be developed as shown in the originally submitted drawings; and in the event the existing concrete block wall along the east side of the property is ever removed, the applicant must, within 90 days, install an 8-foot high masonry wall along the eastern property line of the parking lot.

**Policy Impact Area:** Historic preservation

**Fiscal Impact:** Undetermined

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2012-692

**Introducer/Sponsor(s):** LUZ Committee

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Resolving appeal of Planning Commission decision

**Bill Summary:** The bill rules on an appeal of a decision by the Planning Commission to deny an application for a waiver of minimum distance requirement from a church or school for a dancing entertainment establishment serving alcohol located at 2712 Cesery Boulevard near the intersection with Merrill Road.

**Background Information:** The LUZ Committee will hear the appeal at an upcoming special meeting and will make a recommendation to the full Council on whether to uphold or overturn the appeal. The Planning Department recommended denial based on the subject property being immediately adjacent to a residential area (24 single family residences and more than a dozen multi-family units within 350 of the site) and the fact that the use is not consistent with the Greater Arlington/Beaches Neighborhood Action Plan. The Planning Commission concurred in the recommendation to deny the exception.

**Policy Impact Area:** Minimum distance waiver appeal

**Fiscal Impact:** None

**Analyst:** Clements

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



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**Bill Type and Number:** Ordinance 2012-693

**Introducer/Sponsor(s):** LUZ Committee

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Resolving appeal of Planning Commission decision

**Bill Summary:** The bill rules on an appeal of a decision by the Planning Commission to deny an application for a zoning exception for a dancing entertainment establishment serving alcohol located at 2712 Cesery Boulevard near the intersection with Merrill Road.

**Background Information:** The LUZ Committee will hear the appeal at an upcoming special meeting and will make a recommendation to the full Council on whether to uphold or overturn the appeal. The Planning Department recommended denial based on the subject property being immediately adjacent to a residential area (24 single family residences and more than a dozen multi-family units within 350 of the site) and the fact that the use is not consistent with the Greater Arlington/Beaches Neighborhood Action Plan. The Planning Commission concurred in the recommendation to deny the exception.

**Policy Impact Area:** Zoning exception appeal

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2012-694

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Rafael E. Caldera as a member of the Downtown Development Review Board, replacing Jonathan R. Garza as a contractor/developer/realtor representative, for a first full term ending June 30, 2014.

**Background Information:** The Downtown Development Review Board is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including a contractor, developer or realtor who does work within the downtown area.

Mr. Caldera received a master's degree in construction management from the Universidad Central de Venezuela and is the CEO / President of *Arkest, LLC*, a general contracting firm. He is a Florida certified general contractor, mechanical contractor, roofing contractor, and plumbing contractor. Mr. Caldera resides in the Baymeadows area within Council District #13.

**Policy Impact Area:** Downtown Development Review Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-695

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Seth A. Pajcic as a member of the Jacksonville Historic Preservation Commission, replacing Joseph F. Thompson, AIA, for a first term full ending March 4, 2015.

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

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

Mr. Pajcic received a law degree from Florida State University and is in private practice at *Pajcic and Pajcic, P.A.* He resides in Duval County.

**NOTE: Because Mr. Pajcic is an attorney and not an architect, this bill may need to be amended to remove the "architect representative" reference.**

**Policy Impact Area:** Jacksonville Historical Preservation Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-696

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Carol C. Worsham as a member of the Downtown Development Review Board, replacing Jim Bailey, Jr. as a downtown owner representative, for a an unexpired term ending June 30, 2013, followed by a first full two-year term ending June 30, 2015.

**Background Information:** The Downtown Development Review Board is established pursuant to Section 656.361.7, *Ordinance Code*, and charged to review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone. The nine voting members of the board are appointed by the Mayor and confirmed by the City Council, in various categories including downtown property owners or owners of or full time employees at a business or professional office located within the downtown area.

Ms. Worsham received a bachelor's degree in landscape architecture from the University of Florida and is a Florida registered landscape architect. She is Vice President of *HDR, Inc.*, an architecture / engineering firm with a local office located in downtown. Ms. Worsham resides in the Venetia area within Council District #14.

**Policy Impact Area:** Downtown Development Review Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-697

**Sponsor:** Council President Bishop

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Reappointment

**Bill Summary:** This bill appoints Bradford G. Thoburn to the Health Planning Council of Northeast Florida, Inc., in the "purchaser" category, replacing Joshua D. Cockrell for a first full two-year term ending September 30, 2014.

**Background Information:** The Health Planning Council of Northeast Florida, Inc. is established pursuant to Section 408.033, *Florida Statutes*, and authorized to develop a district health plan; advise the state department on health care issues and resource allocations; promote public awareness of community health needs; collect data and conduct analyses and studies related to health care needs of the district; advise and assist local governments on the development of an optional health plan; and monitor and evaluate the adequacy, appropriateness and effectiveness of funds distributed to meet the needs of the medically indigent. The bylaws of the Health Planning Council provide that the Board of Directors shall be made up of health care consumers, providers and purchasers, with a health care purchaser being an employer in the state, who provides health care coverage for her or his employees.

Mr. Thoburn received a bachelor's degree in politics from Washington and Lee University and is the Director of Strategic Planning and Research with the *Jacksonville Transportation Authority*, an employer providing employee health care coverage. He was employed with the City (1998-2009) and has served as the Director of Planning and Development. Mr. Thoburn resides in the Ortega area within Council District #14.

**Policy Impact Area:** Health Planning Council of Northeast, Inc. operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2012-698

**Sponsor:** Council President Bishop

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Frank M. Ringhofer to the Building Codes Adjustment Board, replacing Nandlal B. Paryani, for a first full three-year term ending September 30, 2015.

**Background Information:** The Building Codes Adjustment Board is established pursuant to Chapter 56, *Ordinance Code*, and charged to study building codes and recommend to Council needed amendments thereto as may be found necessary or desirable; hear and decide building code enforcement appeals; and authorize building code variances where authorized by law. Section 56.101, *Ordinance Code*, provides that the nine members of the board are appointed by the Council.

Mr. Ringhofer received a bachelor's degree in architecture from Kansas State University and is a Florida licensed Architect. He is an Architect / Vice President with *PQH Group, Inc.* and resides in the Deerwood area within Council District #13.

**Policy Impact Area:** Building Codes Adjustment Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2012-699

**Introducer/Sponsor(s):** Council Member Schellenberg

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Petition to Mayor

**Bill Summary:** The bill urges the Mayor to review his appointments to the major independent authorities (JEA, JPA, JTA and JAA), to regularly determine what mayoral appointments are expiring in coming months, to notify members eligible for reappointment at least two months in advance if he chooses not to reappointment them for a second term, and to fill all board vacancies within 30 days of the expiration of the term of an incumbent member.

**Background Information:**

**Policy Impact Area:** Mayoral appointments

**Fiscal Impact:** None

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2012-702

**Introducer/Sponsor(s):** Council Member Boyer

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Scheduling of additional standing committee meeting; Ordinance Code waiver

**Bill Summary:** The bill schedules an additional LUZ Committee meeting for Saturday, January 5, 2013 at 9:00 a.m. primarily for the purpose of hearing a number of appeals of Planning Commission and Historic Preservation Commission decisions. The bill waives the provisions of the Council Rules that prohibits LUZ Committee meetings from beginning prior to 4:00 p.m.

**Background Information:** At least 5 appeals of administrative decisions have been filed with the Council, and the appellants for several of the issues have requested full formal hearings which are more exacting and time consuming than the informal appeal process. The LUZ Committee has determined that because of the time likely to be involved in hearing several of the appeals, an evening meeting is impractical. An additional meeting has been scheduled for the first Saturday in January

**Policy Impact Area:** LUZ Committee operations

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-703

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

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Approval of economic redevelopment agreements; waiver of Public Investment Policy parameters; appropriation; street closure and abandonment; CIP mid-year amendment and justification

**Bill Summary:** The bill approves two economic redevelopment agreements between the City and P&L Jax Riverside, LP for construction of a mixed-use residential and retail project in the Brooklyn area along Riverside Avenue between Leila and Jackson Streets. The bill authorizes and appropriates funds for a REV grant of up to \$5,154,000 and City infrastructure funding of up to \$1,800,000, which the City will provide to P&L Jax to actually construct roadway and utility improvements and for which the City agrees to waive the competitive bidding requirements of the Procurement Code. The City agrees to allocate certain development rights necessary for the project's development to P&L Jax. The bill waives the Public Investment Policy to provide for a larger REV grant than the standard grant available under the policy. The bill amends the 2013-17 CIP to add and authorize a project entitled Pope and Land – Brooklyn Infrastructure and makes findings necessary to authorize a mid-year CIP amendment. The bill closes and abandons portions of Stonewall, Oak, May and Leila Streets within the project boundaries, reserving perpetual easements for the City and JEA utilities.

**Background Information:** The project, proposed to be developed in two phases, will eventually encompass approximately 300 housing units in a gated community fronting on Park Street and a 65,000 square foot retail development fronting on Riverside Avenue. The approximately \$37 million apartment complex will be constructed by Lincoln Property of Atlanta; the retail development will be constructed by Fuqua Development, also of Atlanta. The incentive policy waiver is required to make a grant equal to 75% of the incremental property taxes on the development for a period of 20 years. The standard policy limits REV grants for market-rate residential projects to 75% of incremental value for the first 5 years, then 50% for an additional 5 years.

**Policy Impact Area:** Downtown redevelopment

**Fiscal Impact:** The bill authorizes a REV grant of up to \$5,154,000 and City infrastructure funding of up to \$1,800,000.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2012-704

**Introducer/Sponsor(s):** Council Member Schellenberg

**Date of Introduction:** November 13, 2012

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

**Date of Analysis:** November 15, 2012

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 106 – Budget and Accounting Code - to reword the limitation on the mayor’s administrative transfer power from “annually” to “during the fiscal year”, and to add that the \$500,000 limitation on line item transfers applies to an existing object line item “for a specific purpose, project or issue.”

**Background Information:** Recently-enacted Ordinance 2012-501-E reduced the mayor’s administrative transfer power from \$750,000 to \$500,000 per year into or out of an object line item. This bill clarifies that the transfer authority shall be calculated on a fiscal year basis, rather than a calendar year, and restores the “specific purpose, project or issue” language that was removed by 2012-501, thereby restoring the scope of the mayor’s transfer authority to its former status, but at the reduced dollar amount.

**Policy Impact Area:** Budgetary operations

**Fiscal Impact:** None; clarifies the intent of a prior ordinance.

**Analyst:** Clements