

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2007-1251

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and the Florida Conference Association for Seventh Day Adventists for a commercial project known as Garden City Commercial. The fair share assessment is \$278,733 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 504 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> |
|--|-----------------------------|
| Lem Turner Road (Newcomb Road to Dunn Avenue) | 154 |
| Duval Road (Dunn Ave. to Pecan Park Road/Biscayne Blvd.) | 15 |
| Lem Turner Road (Braddock Road to Newcomb Road) | 32 |
| Dunn Avenue (Lem Turner Road to Biscayne Blvd.) | 25 |
| Dunn Avenue (VC Johnson Road to Lem Turner Road) | 21 |
| Dunn Avenue (New Kings Road to Lem Turner Road) | 14 |
| Leonid Road (Lem Turner Road to Dunn Avenue) | 7 |
| Lem Turner Road (Dunn Ave. to Trout River Bridge) | 58 |
| Biscayne Boulevard (Dunn Ave. to Duval Road) | 6 |
| I-295 (New Kings Road to Dunn Avenue) | 50 |
| I-295 (Dunn Avenue to Lem Turner Road) | 75 |
| I-295 (Lem Turner Road to I-95) | 47 |

Background Information: The project consists of a drive-through restaurant and shopping center of up to 22,000 square feet on 6.3 acres on Lem Turner Road between I-295 and Jennings Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$278,733 to the Sector 6.2 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1252

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and CedarJax Land Development, LLC for a residential project known as Cedar Point PUD 3. The fair share assessment is \$197,991 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 44 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> |
|---|-----------------------------|
| Cedar Point Road (New Berlin Rd. to Horseshoe Creek) | 18 |
| New Berlin Road (Cedar Point Rd. to Hechscher Drive) | 10 |
| New Berlin Road (Yellow Bluff Rd. to Cedar Point Rd.) | 8 |
| Yellow Bluff Road (New Berlin Rd. to Rushing Branch) | 4 |
| Alta Drive (Rushing Branch to Faye Road) | 4 |

Background Information: The project consists of 15 single-family residences on 40.67 acres on Cedar Point Road between Grover Road and Gate Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$197,991 to the Sector 6.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Segovia Ventures, LLC for a retail project known as Segovia Pen Center. The fair share assessment is \$110,196 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 315 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 (Normandy Blvd. to Old Middleburg Road S.) | 285 |
| Chaffee Road (Normandy Blvd. to 103 rd Street) | 30 |

Background Information: The project consists of 100,000 square foot shopping center on 13.6 acres on the northwest corner of 103rd Street and Samaritan Way in Council District 12.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$110,196 to the Sector 4.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1254

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and ProLogis for a warehouse project known as ProLogis Park West. The fair share assessment is \$637,549 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 173 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> |
|---|-----------------------------|
| New Kings Road (Dunn Ave. to I-295) | 64 |
| Old Kings Road (Edgewood Ave. to Plummer Rd.) | 3 |
| Dunn Avenue (New Kings Road to VC Johnson Road) | 14 |
| New Kings Road (Old Kings Road to Dunn Avenue) | 11 |
| Braddock Road (Dunn Ave. to Lem Turner Road) | 4 |
| I-295 (I-10 to New Kings Road) | 19 |
| New Kings Road (I-295 to Soutel Drive) | 40 |
| I-295 (New Kings Road to Dunn Avenue) | 11 |
| Trout River Blvd. (New Kings Rd. to Lem Turner Rd.) | 7 |

Background Information: The project consists of a 329,250 square foot warehouse on 52.91 acres on New Kings Road between Dunn Avenue and Pitts Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$637,549 to the Sector 6.2 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1255

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Greenland Parklands, LLC for an industrial project known as Greenland Industrial. The fair share assessment is \$120,290 with a 6-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 137 p.m. peak hour trips being generated on links in fair share fund sector 3.1 as follows:

| <u>Road segment</u> | <u>Peak p.m. hour trips</u> |
|---|-----------------------------|
| Greenland Road (Old. St. Augustine Rd. to Coastal Lane) | 17 |
| Philips Highway (SR 9A to Southside Boulevard) | 31 |
| Greenland Road (Coastal Lane to Philips Highway) | 47 |
| Philips Highway (Old St. Augustine Road to SR 9A) | 42 |

Background Information: The project consists of 160,000 square feet of light industrial uses on 37.46 acres at the end of Greenland Industrial Boulevard in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$120,290 to the Sector 3.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1256

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 28, 2007

Type of Action: Rate Adjustment Authorization

Bill Summary: This bill grants the request of Southland Waste Systems, Inc. (SWS), for an extraordinary rate adjustment for fuel surcharges in the amount of \$82,398.66 for the time period July 5, 2007, through September 25, 2007, relative to its contract with the City for residential waste and recycling collection and transportation.

Background Information: Under Ordinance 1999-549-E, the Council approved the amended contract with SWS, which requires that requests for extraordinary rate adjustments for fuel surcharges be presented to City Council for final approval. Information on file states that Public Works Department staff have reviewed contractor invoices and calculated the net payment due SWS, with the net reimbursement being a result of the current fuel cost per gallon rising above the base rate cost per gallon contained in the current waste hauling contract.

Policy Impact Area: Solid Waste and Recycling

Fiscal Impact: Undetermined; a rate adjustment in the amount of \$82,398.66 is granted

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1257

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 28, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$500 from a Special Council Lapse Contingency account to restore grant money to the Florida Yards and Neighborhoods Program of the Dept. of Recreation and Community Services' County Extension Service.

Background Information: The Budget Ordinance added a 2% lapse to all non-public safety accounts, but it does not apply to grant money. As the Florida Yards and Neighborhoods Program is funded entirely with grant money from the Environmental Protection Board, the 2% lapse factor should not have been applied to this program, and the grant money is being restored.

Policy Impact Area: Budget and Accounting

Fiscal Impact: \$500 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1258

Sponsor: Council Member Warren Jones:

Date of Introduction: November 26, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 30, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$30,762 from the Tree Protection and Related Expenses Trust Fund for tree planting at Dellwood Avenue from Margaret Street to Acosta Street located in Council District 9. The bill provides for departmental oversight by the Public Works Department.

Background Information: The appropriation provides for the acquisition and planting of 24 Live Oak, 13 Crepe Myrtle and 13 Drake Elm trees for the planting project. Any unused funds are to revert to the source of origin.

Policy Impact: Neighborhood Beautification

Fiscal Impact: The bill appropriates \$30,762

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1259

Sponsor: TEU Committee

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 29, 2007

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and BKJ Development Partners, LLC for a mixed use project known as Bacardi East Multi-Use Project. The fair share assessment is \$21,727,010 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 9,954 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> |
|---|-----------------------------|
| I-95 (Pecan Park Road to Nassau County line) | 151 |
| Main Street (Nassau County line to Pecan Park Road) | 2642 |
| Main Street (Pecan Park Road to New Berlin Road) | 1956 |
| Pecan Park Road (Dixie Clipper Drive to I-95) | 168 |
| Pecan Park Road (I-95 to Main Street) | 2603 |
| Yellow Bluff Road (Main Street to Starratt Road) | 236 |
| I-95 (Airport Road to Pecan Park Road) | 2198 |

Background Information: The project consists of up to 900 single-family homes, 599 condominium/ townhomes, 2.56 million square feet of light industrial space, a 110 room hotel, and shopping center with up to 187,500 square feet of space on 995.29 acres on Pecan Park Road between I-95 and US 17 in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$21,727,010 to the Sector 6.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1260

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 30, 2007

Type of Action: Appropriation

Bill Summary: This ordinance reappropriates , to the State Housing Initiatives Partnership (“SHIP”) Housing Rental Rehabilitation/Trust Fund authorized expenditures, \$1,380,000 in unused or unencumbered funds, previously authorized by Ordinance 2007-E and transferred by such ordinance as of September 30, 2007, to the SHIP Owner-Occupied Rehabilitation for Targeted Neighborhoods Account, in order to re-establish funding for the New Life Village Project, as initiated by B.T. 08-034.

Background Information: The New Life Village Project is a project on a site that abuts the Youth Crisis Center on Parental Road, in Council District 4. The Project entails a center with forty (40) beds for youths transitioning from foster homes. Ordinance 2007-0211-E stipulated that in the event the funds were not fully committed prior to September 30, 2007, they will revert to Owner-Occupied Rehabilitation. The funds are re-established to fund the New Life Village project.

Policy Impact: Housing & Neighborhoods Department/SHIP

Fiscal Impact: The bill appropriates \$1,380,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1261

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 30, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates, at the request of the Florida Department of Environmental Protection, the existing Gasoline Storage Inspection Fund balance of \$60,915.46 into the Fiscal Year 2008 operating account for the Gasoline Storage Tank Inspection Program administered by the Environmental Quality Division of the Environmental & Compliance Department, for the grant period from July 1, 2007 to June 30, 2008, so as to increase funds available for program expenses and miscellaneous services and products, as initiated by B.T. 08-032.

Background Information: The State of Florida Department of Environmental Protection (FDEP) contracts with the City of Jackson's Environmental Quality Division to have the City administer the Gasoline Storage Tank Inspection Program. FDEP has requested that the EQD appropriate the remaining Fund Balance into the Gasoline Storage Tank Inspection's 2008 operating budget.

Policy Impact: Environmental & Compliance Department/Environmental Quality Division/Gasoline Storage Tank Inspection.

Fiscal Impact: This bill appropriates \$60,915.46

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1262

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; PHS

Date of Analysis: November 28, 2007

Type of Action: Appropriation/Position Authorization

Bill Summary: This bill appropriates \$28,699 from the Jacksonville Children's Commission to the Administrative Services Division to correct an oversight in the budget process that occurred during the City's reorganization. Authorization is given for an Administrative Aide position.

Background Information: This will provide for the transfer of an Administrative Aide position from the Jacksonville Children's Commission to the Administrative Services Division due to centralization of payroll. Information on file indicates that the employee will move with the position.

Policy Impact Area: Budget and Accounting

Fiscal Impact: \$28,699 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1263

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 30, 2007

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$298,000 in residual amounts, left in cancelled Northwest Jacksonville Economic Development ("NWJED") Trust Fund projects, to the consolidated Jacksonville Economic Development Commission/Project Pay-As-You-Go NWJED Trust Fund created by Ordinance 2007-281-E, as initiated by B.T. 08-035. Provision is made to carryover funds to Fiscal Year 2008-2009.

Background Information: This bill transfers \$298,000 in residual funds left in cancelled NWJED Trust Fund projects. Ordinance 2007-281-E consolidated funds from various individual JEDC/Pay-As-You-Go accounts into one account to facilitate the funding of and accounting for loaned or granted funds.

Policy Impact: Housing & Neighborhoods Department/Northwest Jacksonville Economic Development Trust Fund

Fiscal Impact: This bill appropriates \$298,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1264

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 15, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$475,000 from a Prime Osborn Convention Center retained earnings account for the installation of new remote telephone systems in the public assembly buildings managed by SMG, including Jacksonville Municipal Stadium, Veterans Memorial Arena, the Equestrian Center, Times-Union Center for the Performing Arts, the Baseball Grounds, and Prime Osborn Convention Center.

Background Information: The funds were originally appropriated from the tourist development tax to purchase the new telephone system in FY06-07. When a contract was not let before the end of the fiscal year in September, the funds were moved to a retained earnings account. This bill re-appropriates the funds from retained earnings to the individual buildings.

Policy Impact Area: Public facilities improvement

Fiscal Impact: Appropriates \$475,000 from retained earnings account

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1265

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 15, 2007

Type of Action: Approval of amended and extended public facilities management agreement

Bill Summary: The bill authorizes the execution of a renewal option of the agreement between the City and SMG for management of the City's public assembly facilities (Jacksonville Municipal Stadium, Baseball Grounds of Jacksonville, Jacksonville Veterans Memorial Arena, Times-Union Center for the Performing Arts, Prime Osborn Convention Center, and Equestrian Center). The renewal option will extend SMG's contract to operate the facilities for an additional four-and-a-half years from its current expiration on September 30, 2008 to March 30, 2013 on the same terms and conditions as the existing agreement.

Background Information: SMG has been operating the City's public assembly facilities since 1992 on an original contract and 3 subsequent renewals. SMG receives a base management fee to run the facilities (starting at \$550,000 in 2002 and adjusting each year by the change in the Consumer Price Index) and may earn "building incentive fees" and "marketing incentive fees" for the operation of each of the facilities based on producing gross operating revenues and marketing revenues (advertising, naming right, suite, club seat and other defined revenues) that exceed defined benchmarks.

Policy Impact Area: Public facility management

Fiscal Impact:

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1266

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

Date of Introduction: November 27, 2007

Committee(s) of Reference: LUZ

Date of Analysis: November 28, 2007

Type of Action: Landmark Designation

Bill Summary: This bill designates the A. L. Lewis School as a landmark and landmark site, finding that it satisfies at least 2 of the required criteria. The Zoning Administrator is directed to note this designation on the Zoning Atlas. The Council Secretary is directed to notify each applicant, the property owner, and the Property Appraiser of the designation, and to record this ordinance in the Duval County public records.

Background Information: The school is located at 600 Eaverson Street, between West Beaver and Church streets. The criteria met include its value as a significant reminder of heritage and its suitability for preservation. Approval has been recommended by the Planning and Development Department.

Policy Impact Area: Historic Preservation

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1267

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

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 28, 2007

Type of Action: Ordinance Code Amendment

Bill Summary: This bill repeals and recreates Subpart C, Sections 122.431 through 122.436 (Community Redevelopment Real Property Dispositions), Ordinance Code. Provisions are made applicable to the sale, lease, or other disposition of real property acquired by a community redevelopment agency for community development under Florida Statutes. An appraisal is required prior to disposition, and an additional appraisal may be conducted if provided for or if determined to advantageous to the City in the opinion of the Executive Director of the Jacksonville Economic Development Commission (JEDC). Authorization is given for disposition or transfer of real property, or interest therein, by a community redevelopment agency, and permission is given to enter into certain contracts for use of the property. A community redevelopment agency may utilize the procedures as set forth, or may use an alternative method pursuant to the Ordinance Code, with the community redevelopment agency assuring that said procedure complies with the requirements of Florida Statutes. Procedures for disposition of community development property include advertisement and notice to City Council; consideration by JEDC; filing of notification with the City Council to accept a proposal for redevelopment rehabilitation, with Council approval required where the sales price of the property to be disposed is greater than \$40,000; obligation of purchasers or lessees to devote use of the real property only to the uses specified in the community redevelopment plan; subjection to limitations in Florida Statutes if the property was obtained by eminent domain; JEDC may require its prior written consent before any further conveyance; real property acquired by the City and JEDC to be transferred as rapidly as possible in the public interest; and, contracts and/or portions of the community development plan may be recorded in the land records of the Clerk of the Circuit Court. Severability is provided.

Background Information: Information on file indicates that this will provide the City with an alternative approach for the disposition of property within community redevelopment areas. A request for proposals (RFP) process is currently used.

Policy Impact Area: Community Redevelopment; Real Property Disposition

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1268

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 15, 2007

Type of Action: Approval of submerged lands lease

Bill Summary: The bill authorizes the Mayor to execute a Submerged Lands Lease Easement with the Florida Department of Environmental Protection for the Bay Street crossing over Hogan's Creek to allow for the replacement of the existing bridge with a wider structure. The lease does not contain a specific term but accompanying documentation indicates that the agreement is for a period of 99 years.

Background Information: The Public Works Department will replace the existing 4-lane bridge structure with a wider structure that can accommodate 5 lanes of traffic, plus wider pedestrian walkways and various utility lines. Initially the bridge will continue to be striped for 4 traffic lanes. The wider bridge structure will require driving pilings into the creek, which necessitates the submerged land lease for the wider footprint.

Policy Impact Area: Roadway improvement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1269

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 28, 2007

Type of Action: Property Acquisition Approval

Bill Summary: This bill approves acquisition from Southside Estates Baptist Church of certain parcels on Kernan Boulevard between Beach and J. Turner Butler boulevards in accordance with an option to purchase. Authorization is given to the General Counsel, or designee, to execute required documents and take necessary action.

Background Information: The parcels are being acquired for a pond site of approximately 4.7 acres and an easement for ingress, egress, and drainage for the Kernan Boulevard Right-of-Way Better Jacksonville Plan Project. The option is to purchase the property for \$995,000. Information from the Real Estate Division indicates that the appraised value is \$631,000, and that acquisition of the property will facilitate construction of Kernan Boulevard and help meet a timeline of the Florida Dept. of Transportation and its building of the Beach Boulevard and Kernan Boulevard overpass. The property owner is also shown as being Kernan Boulevard Baptist Church in some documents.

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

Fiscal Impact: The option to purchase is to \$995,000

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1270

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; RCD

Date of Analysis: November 30, 2007

Type of Action: Authorization

Bill Summary: This ordinance authorizes the Chief Executive Officer of the Jacksonville Children's Commission to execute, for and on behalf of the City of Jacksonville, Parking Permit Agreements for future parking needs of the Commission's parking.

Background Information: Parking spaces are minimal in the A. Philip Randolph Boulevard area in and around the vicinity of the Jacksonville Children's Commission's offices. There are numerous activities from time to time, outside of business hours, when entities could use parking spaces at the JCC parking lot. This would benefit the community.

Policy Impact: Jacksonville Children's Commission

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1271

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 28, 2007

Type of Action: Right-of-Way Closure

Bill Summary: This bill closes and abandons a portion of Alumni Way as a right-of-way to allow for office building construction and associated parking.

Background Information: The closure area is located in the vicinity of St. Johns Bluff Road. Information from the Real Estate Division states that the applicant is CPH Engineers, Inc., and that the \$1,500 application fee has been paid. The bill states that any objections from government agencies have been resolved.

Policy Impact Area: Right-of-Way Closures

Fiscal Impact: Undetermined

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2007-1272

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 30, 2007

Type of Action: Condemnation Authorization

Bill Summary: This legislation declares the public necessity for acquiring perpetual easements for drainage purposes and temporary construction easement rights through condemnation by right of Eminent Domain for parcels in Council District 8 that will enable the completion of the Broward Road (Lem Turner to I-95) Project, a Better Jacksonville Plan II project. The bill authorizes and directs the Office of General Counsel to institute appropriate condemnation proceedings.

Background Information: This legislation enables the City to acquire 18 permanent easements and 1 temporary construction permit by right of Eminent Domain. The combined appraised value of these parcels is \$32,922.50.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2007-1273

Sponsor: Council Member Warren Jones

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 28, 2007

Type of Action: Request to FDOT

Bill Summary: This bill requests and urges the Florida Dept. of Transportation (FDOT) to highly prioritize and fund the repaving of Beaver Street (U.S. 90) between Stockton Street and McDuff Avenue. The Council Secretary is directed to provide a copy of this resolution to the Jacksonville and Lake City district offices of FDOT.

Background Information: Beaver Street is a state-maintained highway and a major traffic artery. Between Stockton Street and McDuff Avenue, the road surface is in poor condition, posing a risk to the general public through the possibility of vehicle damage and the increased possibility of accidents relative to the avoidance of potholes and other road hazards.

Policy Impact Area: Streets and Drainage

Fiscal Impact: Undetermined

Analyst: Campbell

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LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2007-1278

Sponsor: Council President Davis

Date of Introduction: November 27, 2007

Committee(s) of Reference: R

Date of Analysis: November 26, 2007

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Council President's appointment of Fred Engness as a member of the Duval County Election Advisory Panel, replacing Helen Ludwig for a term ending April 16, 2010.

Background Information: Chapter 59, *Ordinance Code*, provides that three of the nine members of the Duval County Election Advisory Panel shall be designated by the Council President and confirmed by the Council. Mr. Engness received a bachelor's degree from the University of Maryland. He resides in the Lakeshore area within Council District #9.

Policy Impact Area: Duval County Election Advisory Panel operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2007-1279

Sponsor: Council President Davis

Date of Introduction: November 27, 2007

Committee(s) of Reference: R

Date of Analysis: November 26, 2007

Type of Action: Appointment

Bill Summary: This bill appoints Council Member Art Graham as a member of the Northeast Florida Regional Council, replacing James Fletcher as the independent municipality representative.

Background Information: The bylaws of the Northeast Florida Regional Council provide that one of Duval County's four representatives on the Board shall be a representative from one of the independent municipalities. Council Member Graham resides in Jacksonville Beach.

Policy Impact Area: Northeast Florida Regional Planning Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2007-1280

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: November 30, 2007

Type of Action: Purchase Approval & Authorization

Bill Summary: This ordinance approves the purchase and authorizes the Office of General Counsel to close and execute the necessary contracts, deeds, and closing documents required to effectuate the purchase of property from William P. Register, president of Heritage LTD. The property is an approximately 2.5 acre pond site, Parcel 106-P, RE# 167132, located off San Pablo Road. The property is being acquired for use as a pond site for drainage purposes associated with the San Pablo Road Right-of-Way Better Jacksonville Plan project.

Background Information: The pond site, located in Council District 2, will be used for drainage purposes. The appraised value of the approximately 2.5 acre parcel is \$150,000. The Option to Purchase is \$200,000.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The Option to Purchase price approved by this bill is \$200,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1283

Sponsor: PHS Committee

Date of Introduction: November 13, 2007

Committee(s) of Reference: F, PHS

Date of Analysis: November 15, 2007

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 123 – Public Fees – to increase a variety of fees charged by the Duval County Health Department. Many fees are increased moderately. Some of the more significant increases come in the following areas:

- Creation of new categories of environmental health permits for “biomedical instruction and training” and “body piercing instruction and training” at \$100 each
- Adult living facility food service – from \$100 plus \$5 per bed to a flat fee of \$200
- Adult day care – from \$80 to \$110
- Family home day care – from \$15 to \$50
- Child care center – from \$25 plus \$1 per child (max. \$200) to \$50 plus \$2 per child (max. \$400)
- Septic tank installation permit – from \$20 to \$90
- New license category of public swimming pools and bathing places - \$50

Background Information: The fee increases were part of an agreement between the City Council Finance Committee and the Health Department during the FY07-08 budget adoption process. The Finance Committee recommended and the City Council approved restoration of a portion of the Health Department funding that was proposed to be eliminated in the Mayor’s original budget, in return for which the Health Department was asked to develop a package of fee increases to more adequately cover its costs of service provision. The largest proportion of the fee increases apply to commercial and environmental activities, purposely avoiding substantial increases in individual health care fees. The Health Department hopes to generate \$750,000 in new revenue primarily in 4 areas: group facilities permits; private water system permits; septic tank fees; and swimming pool licensing and inspections.

Policy Impact Area: Health Department fees

Fiscal Impact: The Health Department hopes to generate approximately \$750,000 in additional revenue from the fee increases.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1284

Sponsor: Council President Davis

Date of Introduction: November 13, 2007

Committee(s) of Reference: RCD, PHS

Date of Analysis: November 15, 2007

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 614 – Public Order and Safety – to expand the area in which panhandling and sleeping in or on streets, sidewalks, benches, parks, vehicles, doorways, etc. is prohibited. The expansion extends the area from the currently defined “courthouse security zone” and “riverfront enhancement area” to a larger “Urban Core Enhancement Area” encompassing 1.92 square miles and including downtown, the Southbank area south to San Marco Square, Brooklyn and the Riverside area south of Park Street and west to King Street.

Background Information: The current “courthouse security zone” and “riverfront enhancement area” were defined in 2000 in order to prohibit soliciting for money (panhandling) entirely in certain parts of downtown, and to increase the Sheriff’s ability to prevent persons from sleeping in downtown parks and doorways by creating a mechanism for referring such persons to homeless shelters and rescue missions before they could be arrested for vagrancy. This bill expands the zone in which certain behaviors are prohibited entirely. “Aggressive” panhandling as defined in the Ordinance Code (using threatening language or actions, following or touching pedestrians while begging, blocking sidewalks, etc.) is already prohibited citywide.

Policy Impact Area: Public safety; downtown safety

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1285

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

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

Date of Analysis: November 28, 2007

Type of Action: Appropriation

Bill Summary: This bill appropriates \$633,578 to post payment from the Jacksonville International Airport (JIA) for a crash truck purchased under the Interlocal Agreement between JIA and the City for airport rescue and firefighting services.

Background Information: This will pay the banking fund balance of \$380,184.08 owed on the purchase, and transfer the remaining balance of \$253,393.92 to the 513 Cash Fund.

Policy Impact Area: Public Safety; Jacksonville International Airport

Fiscal Impact: \$633,578 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1286

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 28, 2007

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

Date of Analysis: November 30, 2007

Type of Action: Agreement Authorization; Appropriation

Bill Summary: This ordinance approves and authorizes the Mayor, or his designee, to execute the Florida Boating Improvement Program (FBIP) Agreement between the Florida Fish and Wildlife Conservation Commission and the City of Jacksonville for a Derelict Vessel Removal Project. The bill appropriates \$44,500 (\$9,500 from FBIP and \$35,000 from the Derelict Vessel Removal Account for the required City match) to fund the project, as initiated by B.T. 08-036. The bill moves the funds to the correct index code for proper alignment due to the Fiscal Year 2007-2008 reorganization. Provision is made for a carryover of funds to Fiscal Year 2007-2008. Provision is made for City oversight by the Planning & Development Department.

Background Information: Abandoned and derelict vessels in Jacksonville's waterways are a hazard to navigation. *Ordinance Code* Section 110.414 created an account designated as the Derelict Vessel Removal Fund. Grant funds from the State of Florida for removing derelict vessels from County waters are deposited in the fund. Monies in this account are used to remove derelict vessels that have been declared derelict by the Florida Fish and Wildlife Conservation's Division of Law Enforcement. Initially, the JSO Marine Unit attempts to identify and notify the owners of abandoned and derelict vessels in an effort to remove the vessels. Failing to do so, the City applies for grants from the State to fund removal operations.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This bill appropriates \$44,500

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1287

Sponsor: Council President at the request of the Mayor

Date of Introduction: November 13, 2007

Committee(s) of Reference: F

Date of Analysis: November 15, 2007

Type of Action: Appropriation

Bill Summary: The bill appropriates \$17,730,373 in anticipated revenue from the JEA franchise fee to the Public Works Department budget for FY07-08.

Background Information: Pending Council consideration and approval of the JEA franchise fee after the adoption of the City budget in September, the anticipated revenue from the fee was placed in a reserve account and the offsetting expenditures were withheld from the Public Works Department's budget. With the approval of the franchise fee the revenue can now be budgeted from the reserve account into appropriate departmental expenditure accounts.

Policy Impact Area: Public Works operations

Fiscal Impact: The bill appropriates \$17,730,373 in anticipated revenue from the JEA franchise fee to the Public Works Department budget for FY07-08.

Analyst: Clements

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Bill Type and Number: Ordinance 2007-1288

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F; TEU

Date of Analysis: November 28, 2007

Type of Action: Lease Approval

Bill Summary: This bill approves a lease agreement with Sphinx Management, Inc., for the South Mulch Facility. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute said agreement. The stated purpose of the lease agreement is to allow adequate time for the City to restore the South Mulch Facility property to its state prior to operation as a mulching facility.

Background Information: The facility is located at 11771 Philips Highway. The lease term is 6 months, beginning January 1, 2008, with the option to extend the term on a month-to-month basis. The monthly rental is \$28,750.

Policy Impact Area: Solid Waste-Mulch Facilities; Lease Agreements

Fiscal Impact: Undetermined; the monthly rental is \$28,750

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1289

Sponsor: Council President at the Request of the Mayor

Date of Introduction: November 27, 2007

Committee(s) of Reference: F

Date of Analysis: November 28, 2007

Type of Action: Position Change Approval

Bill Summary: This bill approves a position change to move a Permit Assistant position from the Municipal Code Compliance Division to the Building Inspection Division.

Background Information: Subsequent to position assignments based on the City's reorganization efforts, a determination was made that this change would better serve the Chief Building Official in the administration of the Florida Building Code.

Policy Impact Area: Code Compliance; Reorganization; Budget and Accounting

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2007-1290

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 30, 2007

Type of Action: Street Closure

Bill Summary: This ordinance closes and abandons and/or disclaims portions of 4th Street and Magnolia Avenue, an unopened and unimproved right-of-way created by Plat of Broward Heights, as record in Plat Book 6, Page 46, of the current public records of Duval County, Florida, in Council District 11, at the request of Doug and Terri Moore, to allow for incorporation of the closed right-of-way into a commercial development.

Background Information: The request to close the right-of-way was routed to all City agencies having an interest and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a closure application fee in the amount of \$1500.

Analyst: Jackson

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Bill Type and Number: Ordinance 2007-1291

Sponsor: Council President at the request of the Mayor:

Date of Introduction: November 27, 2007

Committee(s) of Reference: TEU

Date of Analysis: November 30, 2007

Type of Action: Street Closure

Bill Summary: This ordinance closes and abandons and/or disclaims a portion of Lewie Mickles Road, a 50 foot unopened and unimproved right-of-way, created by Plat of Sweetwater Farms, as recorded in Plat Book 6, Page 67, of the current public records of Duval County, Florida, between Spaner Road and Ashford Crossing Drive, in Council District 13, at the request of Deercreek Club Community Owners Association, to limit access to the Deercreek subdivision.

Background Information: The request was routed to all City agencies having an interest and there were no objections.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant has paid a closure application fee in the amount of \$1500.

Analyst: Jackson