

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Resolution 2008-845

Sponsor: Council President at the request of the Jacksonville Housing Finance Authority:

Date of Introduction: October 14, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 17, 2008

Type of Action: Bond Issuance Approval

Bill Summary: This bill approves the issuance by the Jacksonville Housing Finance Authority of its Homeowner Mortgage Revenue Bonds in one or more series in an original aggregate face amount not to exceed \$40,000,000 for the purpose of providing funds for the purchase of mortgage loans originated by participating local lending institutions to finance the purchase or rehabilitation of new or existing owner-occupied single family residences situated in Duval County or purchasing securities evidencing interests in or backed by a pool of such mortgage loans, including securities guaranteed by the federal government or agencies thereof or for the purpose of refunding outstanding bonds of the authority previously issued for such purpose; authorizing the application for private activity bond volume cap allocation from the regional pool for Duval County; requiring additional Council approval prior to the sale of the bonds. The bonds issued by the Authority shall not be deemed to constitute a debt, liability or obligation of the City, County or State.

Background: Section 147 (f) of the Internal Revenue Code, as amended, and Chapter 55 of the Ordinance Code, as amended, requires City Council approval of the Housing Finance Authority's issuance of its revenue bonds. Chapter 159, Part IV, Florida Statutes, empowers the Jacksonville Housing Finance Authority to issue homeowner mortgage revenue bonds for the purpose of providing funds for the purchase from "lending institutions" mortgage loans for the construction, purchase, improvement or rehabilitation of owner-occupied single family residences located in Duval County or securities evidencing interest in or backed by a pool of such mortgage loans securities guaranteed by the federal government or agencies to refund outstanding bonds of the Authority.

Policy Impact: Affordable Housing/Jacksonville Housing Finance Authority

Fiscal Impact: This bill authorizes the issuance of revenue bonds in an aggregate amount not to exceed \$40,000,000.

Analyst: Jackson

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Bill Type and Number: Resolution 2008-846

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: F, RCD

Date of Analysis: October 16, 2008

Type of Action: Expression of support for beach renourishment program

Bill Summary: The bill reaffirms the City's willingness and intention to continue to serve as the non-federal sponsor, permittee and local funder for the beach renourishment project through the year 2028.

Background Information: The City and the Army Corps of Engineers have entered into a cooperative agreement to renourish the Atlantic shoreline beaches through the year 2028, with the City acting as the non-federal project sponsor and permittee for the project. The City also has an agreement with the Florida Department of Environmental Protection for the state to provide up to 47.21% of the non-federal cost of the occasional renourishment contracts. The FDEP is in the process of preparing its FY2009-10 project priority list and has requested that the City reconfirm its support for the beach renourishment program.

Policy Impact Area: Beach renourishment authorization

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2008-847

Sponsor: Council President Fussell

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 7, 2008

Type of Action: Appointment

Bill Summary: This bill appoints Henry W. Cook as a member of the Board of Trustees of the City of Jacksonville Retirement System, replacing Henry Freeman as a Citizen representative, for a 3-year term.

Background Information: Section 120.102 of the *Ordinance Code* provides that the two of the members of the Board of Trustees shall be citizens appointed by the Council. Former Council Member Cook served twice as Council President and Chair of Finance during his two terms on the City Council and then was elected Clerk of the Circuit Court, serving from 1988 to 2001. He resides in Council District 3.

Policy Impact Area: Jacksonville Retirement System Board of Trustees operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2008-848

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 14, 2008

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

Date of Analysis: October 16, 2008

Type of Action: Agreement Approval

Bill Summary: This bill approves an Intergovernmental Cooperative Management Agreement with the St. Johns River Water Management District to provide for joint management of the Julington-Durbin Creek Preserve. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The 2,700-acre preserve serves as a regional preserve and public park. Both the City and the St. Johns River Water Management District contributed to its acquisition, and both are to be accountable for management responsibilities. Under the agreement, the City is generally responsible for management of public access and recreation, with the St. Johns River Water Management District generally responsible for management of the natural resources.

Policy Impact Area: Preservation Lands

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-849

Sponsor: Council President Fussell

Date of Introduction: October 14, 2008

Committee(s) of Reference: TEU

Date of Analysis: October 16, 2008

Type of Action: Approval of solid waste certificate of convenience and necessity

Bill Summary: The bill approves the issuance of a solid waste Certificate of Public Convenience and Necessity to International Waste Control, Inc. to operate a solid waste sterilization plant at 10418 New Berlin Road.

Background Information: The plant will service international shipping activity at the port by sterilizing food waste from the crews of ships calling on the Port of Jacksonville using high pressure steam in an autoclave to meet USDA regulations prohibiting the possible importation of foreign pathogens in food products. The CON permits the processing of up to 500 pounds of waste per day and prohibits the storage of more than 1,500 pounds of unprocessed waste or 5,000 pounds of processed waste on-site at any time. Outside storage of any waste is prohibited. The company is required to post a performance bond or letter of credit in the amount of \$60,000.

Policy Impact Area: Solid waste processing

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2008-850

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 14, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: October 17, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates an additional \$50,029 (\$49,299 from the State of Florida Department of Health and Human Services and \$730 through Realignment of Travel Expenditures) to the Jacksonville Children's Commission Special Revenue Grant Fund – Refugee Child Care Program to provide child care services to refugee children and families in Duval County under the Refugee Child Care Program Grant, as initiated by B.T. 08-187. The bill provides for a carryover of funds into Fiscal Year 2008-2009.

Background: The funds appropriated by this legislation pay the child care service expenses of refugee children at child care centers throughout the County.

Policy Impact: Jacksonville Children's Commission

Fiscal Impact: This bill appropriates \$50,029

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-851

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 14, 2008

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

Date of Analysis: October 17, 2008

Type of Action: Contract Third Amendment Authorization/Ordinance Code Waiver

Bill Summary: This ordinance concerns a continuation grant. The bill approves and authorizes the Mayor and Corporation Secretary to execute the Third Amendment to the 2006-2007 Duval Soil and Water Miscellaneous Appropriations Contract (#5296-30) so as to extend the period of the miscellaneous appropriation and all reporting dates, with no lapse in funding, to September 30, 2009, thus effectively allowing the carryover of funds from Fiscal Year 2007-2008 to Fiscal Year 2008-2009; the ordinance waives section 118.301 (A) (5), *Ordinance Code*, relating to the appropriation process and the timeliness of the use of funds to the extent said provision is inconsistent with this ordinance. The bill stipulates that the Department of Recreation and Community Services will provide oversight and the department is required to provide a report to the Council Auditors on a quarterly basis.

Background: This is a public service grant that was awarded by the Public Service Grant Committee. The grant is a component of the funding for Duval Soil and Water Conservation Commission. The contract extends the effective date of the Agreement until September 30, 2009, to allow expenditure of unspent funding, in the amount of \$2,500. (That amount has been subsequently amended to the amount of \$3,181.76).

Policy Impact: Recreation & Community Services

Fiscal Impact: Funding had been previously appropriated (Ordinance 2007-1092)

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-856

Sponsor: Council Member Graham

Date of Introduction: October 14, 2008

Committee(s) of Reference: PHS; TEU

Date of Analysis: October 16, 2008

Type of Action: Agreement Authorization

Bill Summary: This bill authorizes the Mayor, or designee, the Sheriff, and the Corporation Secretary to execute an agreement with The Reserve at Pointe Meadows Condominium Association, Inc., for municipal traffic control jurisdiction by the Jacksonville Sheriff's Office over the limited access roads located within the boundaries of The Reserve at Pointe Meadows Condominiums.

Background Information: The Reserve at Pointe Meadows Condominium Association Board of Directors met September 23, 2008, and voted to authorize the Jacksonville Sheriff's Office to enforce traffic laws in the community. Upon execution of the agreement, the provisions of Chapter 316 (State Uniform Traffic Control), Florida Statutes, shall apply to all vehicular traffic on the roads within the boundaries of the Pointe Meadows residential community, and Jacksonville Sheriff's deputies shall have the same authority to control traffic on those roads as on the City's streets and highways. Costs incurred by the City for services which exceed the ordinary level of traffic control service are to be paid by The Reserve at Pointe Meadows Condominium Association, Inc.

Policy Impact Area: Uniform Traffic Control; Office of the Sheriff

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-895

Sponsor: TEU Committee

Date of Introduction: October 14, 2008

Committee(s) of Reference: TEU

Date of Analysis: October 16, 2008

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Rick Howard, trustee of the Paris A. Howard Trust, for a commercial project known as Fouraker Road shopping Center. The fair share assessment is \$1,194,246 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 164 p.m. peak hour trips being generated on links in fair share fund sector 5.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Normandy Boulevard – Herlong Road to I-295	56
Fouraker Road – Herlong Road to Normandy Boulevard	19
Fouraker Road/Cahoon Road – Normandy Boulevard to I-10	89

Background Information: The project consists of a shopping center of up to 25,000 square feet on 2.375 acres at 1508 Fouraker Road in Council District 12.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$1,194,246 to the Sector 5.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-896

Sponsor: TEU Committee

Date of Introduction: October 14, 2008

Committee(s) of Reference: TEU

Date of Analysis: October 16, 2008

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and East Beaches Hospitality LLC for a hotel project known as Beaches Hospitality Phase II. The fair share assessment is \$225,459 with a 2-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 21 p.m. peak hour trips being generated on links in fair share fund sector 2.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Beach Boulevard – Hodges Boulevard to San Pablo Road	21

Background Information: The project consists of a hotel of up to 19,000 square feet and 50 rooms on 1.25 acres on Fario Road between Gerona Drive East and Hodges Boulevard in Council District 3.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$225,459 to the Sector 2.1 account.

Analyst: Clements

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Bill Type and Number: Resolution 2008-897

Sponsor: Finance Committee

Date of Introduction: October 14, 2008

Committee(s) of Reference: F

Date of Analysis: October 16, 2008

Type of Action: Certification of 2007 tax roll errors, discounts and insolvencies

Bill Summary: The bill certifies the amount of errors, insolvencies and discounts to the 2007 tax roll as follows:

Non-Ad Valorem Errors and Insolvencies	\$ 0.00
Non-Ad Valorem Discount Allowed	<u>\$ 198,120.21</u>
Total	\$ 198,120.21
Real Estate Errors and Insolvencies	\$ 202,684.14
Double Assessments	00.00
Real Estate and Tangible Personal Property Discounts	\$34,076,460.44
Federal Bankruptcies	<u>\$ 1,656,374.26</u>
Total	\$35,935,518.84

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

Policy Impact Area: Tax roll certification

Fiscal Impact: The allowed credits and discounts total \$35,935,518.84

Analyst: Clements

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Bill Type and Number: Ordinance 2008-900

Sponsor: Council Member Bishop:

Date of Introduction: October 14, 2008

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

Date of Analysis: October 17, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$75,000 from the Community Planning Division Professional Services account to provide a study of the manatee habitat and usage and human usage of the St. Johns River. The bill approves and authorizes the Mayor and Corporation Secretary to execute a contract with Jacksonville University; the bill invokes the exception of Chapter 126.107 (g) to allow the City to direct contract with Jacksonville University for the manatee study; the Planning & Development Department/Community Planning Division shall obtain an administrative award from the Procurement Department to develop the contract. The Planning and Development Department is designated to provide oversight for the City.

Background: Since initially enacting legislation (1997-1044-A) in 1998, the City has had a contract with Jacksonville University to monitor and study manatees in the County's waterways and boating on the waterways and its impact on the manatees' habitat. Jacksonville University, namely Dr. Quinton White and Dr. Gerard Pinto, has compiled and maintained a database on manatees that is the key component of the Duval County Manatee Protection Plan. The State of Florida mandates that 13 specific counties whose waterways abound in manatee activity create and implement a plan to protect manatees from harm or fatalities resulting from encounters with maritime vessels. Florida Statutes require protection plans for additional counties where manatees are known to frequent. Jacksonville University conducts regular aerial flights to track manatees and present a monthly report to the Jacksonville Waterways Commission.

Policy Impact: Jacksonville University/Jacksonville Waterways Commission/Manatees

Fiscal Impact: This bill appropriates \$75,000

Analyst: Jackson

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Bill Type and Number: Resolution 2008-902

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 10, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Lisa L. Simon as a member of the Jacksonville Historic Preservation Commission, replacing William Leuthold as a history representative, for a first three-year term ending March 4, 2011.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation 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. Ms. Simon is a realtor with *Lifestyles Realtors*. She has previously served on the Urban Core Municipal Code Enforcement Board. Ms. Simon resides in the Springfield area within Council District #7.

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 2008-903

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 10, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of J. Richard Moore, Jr. as a member of the Jacksonville Historic Preservation Commission, replacing Alfred Pittman as a history representative, for a first three-year term ending March 4, 2011.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation 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. Moore received a law degree from Nova University and is a Partner with *Rahaim, Watson, Dearing & Moore, P.A.* He resides in the Miramer area within Council District #5.

NOTE: The correct name of the appointee is J. Richard Moore, not Richard J. Moore as is shown in the original text.

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 2008-904

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 10, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of David B. Case as a member of the Jacksonville Historic Preservation Commission, replacing Ricardo Quinones as an architect representative, for a first three-year term ending March 4, 2011.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation 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. Case received a bachelor's degree in architecture from the University of Miami and is a Florida Licensed Architect. He is a Principal Architect with *Richard Skinner & Associates, P.L.* Mr. Case resides in the Beauclerc area within Council District #6.

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 2008-905

Sponsor: Council Members Holt and Johnson

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 16, 2008

Type of Action: Expression of support for legislative bill J-1

Bill Summary: The bill expresses the Council's support for proposed legislative bill J-1 that would amend the charter of the Jacksonville Aviation Authority to establish the City Council as the legislative body to ultimately approve collective bargaining agreements and resolve contract negotiation impasses between the JAA and its employees. The J-bill would also amend the JAA charter to require City Council approval of any privatization of all or substantially all of a budgeted activity at the JAA.

Background Information: Privatization of "all or substantially all" of a function is defined as 20% or more of the employee positions within a budgeted activity being eliminated or vacated, cumulatively within a fiscal year, as a result of transfer of the function to a private entity.

Policy Impact Area: JAA operations

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-908

Sponsor: Council Member Graham:

Date of Introduction: October 14, 2008

Committee(s) of Reference: R; PHS

Date of Analysis: October 17, 2008

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance regards Chapter 460 (Health Code), *Ordinance Code*, and temporary recreational vehicle parks. The ordinance amends Section 460.301 (Temporary Recreation Vehicle (RV) Park Defined), to define a minimum parcel size of 3,000 sq. ft. for temporary recreational vehicle parks, and requires compliance with certain solid waste control measures. **Emergency passage is requested** because Temporary Recreational Vehicle parking facilities are heavily used during the Florida-Georgia football game scheduled for November 1, 2008.

Background: This ordinance amendment addresses the need to better regulate RV parks at City-sanctioned temporary events, in this event the Georgia-Florida football game. The ordinance amendment requires RV park operators to comply with solid waste control measures, particularly pertaining to the maintenance of sufficient garbage containers and cleaning of the property at the termination of a temporary event. The RV operators will be more responsible for the upkeep of the property abutting the Municipal Stadium where the Georgia-Florida football game revelers gather with their RVs for several days and nights' revelry.

Policy Impact: Ordinance Code/Georgia-Florida Football Game/Waste Management

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-909

Sponsor: Land Use and Zoning Committee

Date of Introduction: October 14, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 16, 2008

Type of Action: Development Order Amendment

Bill Summary: This bill amends the development order for the Freedom Commerce Centre Development of Regional Impact (DRI), finding that the change does not constitute a substantial deviation and does not require a notice of proposed change under Florida Statutes. The Legislative Services Division is directed to forward certified copies of this ordinance, upon its effective date, to specified individuals and entities.

Background Information: The Freedom Commerce Center DRI is located in the vicinity of I-95 and Philips Highway. The requested change makes a "minor modification" to the development order by revising the Map H Master Plan.

Policy Impact Area: Planning and Development; Developments of Regional Impact

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-910

Sponsor: Council President Fussell

Date of Introduction: October 14, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 16, 2008

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Chapter 656, Part 12, Ordinance Code, relative to landscape and tree protection regulations. It is specified that all requirements in Article 25, Charter of the City of Jacksonville (Minimum Standards for Tree Protection, Conservation, and Mitigation During Development), be met in addition to the landscape and tree protection regulations of Chapter 656, Part 12. Definitions are revised and additional definitions are included. Exceptions to the prohibition on the removal of protected trees are clarified, including provisions concerning access for maintenance and/or construction of the City's drainage ditches and drainage-related facilities. Exceptions are provided for trees determined to be a danger to traffic flow or traffic site visibility, and for trees determined to be in a required fire break. Permit procedure and criteria, and protected tree relocation/replacement regulations, are revised, and provision is made for the Chief of the Development Services Division to establish a process whereby development may proceed prior to final landscape plan approval through use of an irrevocable, evergreen letter of credit. Use of the Phoenix Palm as a non-shade tree without meeting ratios for other types of palms is allowed under certain conditions. Irrigation systems are to be installed according to the approved landscape plan. Provision is made for mitigation of certain pruned trees. An existing hammock may be used to satisfy tree requirements. Shrubs located within 3 feet of a directional sign are not required to meet the minimum height requirements relative to perimeter landscaping. PVC fencing is included as a possible visual screen relative to a buffer for uncomplementary land uses. Landscape plans will be required to identify the location, size, and height of any signs, other than temporary signs, located, or to be located, on the property. Buffer requirements for residential subdivisions are revised and clarified. Wood fencing is to be allowed for screening. Differentiation is made between buffering and screening made a part of a lot and that made part of a separate tract. Landscape performance standards for JEA neighborhood below ground pump stations are added, with deviations to be reviewed and approved by JEA and by the City's Landscape Architect.

Background Information: This legislation is intended to provide consistency with the City's Charter, update definitions, and codify current policies.

Policy Impact Area: Landscape and Tree Protection

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-911

Sponsor: Council Member Hyde

Date of Introduction: October 14, 2008

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

Date of Analysis: October 16, 2008

Type of Action: Ordinance Code Amendment

Bill Summary: This bill creates a new Part 6, Chapter 116, Ordinance Code, to provide employment consideration and opportunity for ex-offenders. Definitions are provided. It is required that the departments and divisions of the City give full and fair consideration in appointment in positions of employment to ex-offenders who otherwise qualify for the position sought, do not impose a special risk, and who have demonstrated rehabilitation. The Human Resources Division is to adopt rules to ensure qualifying ex-offenders are given full and fair consideration, and is to perform an analysis to determine how many ex-offenders were hired and to review why some may have been excluded. The provisions are made applicable to eligible persons who are City of Jacksonville residents, and exemptions are made for all positions exempt from civil service, positions that require licensure as a physician, positions that require Florida Bar membership, and any position in law enforcement or corrections. The prohibitions of Section 400.215(b) relative to preference in hiring or promotion are made inapplicable. A new Section 126.111 is created to place ex-offender re-entry requirements in the Procurement Code. No contract in an amount of \$100,000 or greater shall be awarded unless the person or entity awarded the contract agrees in writing (1) to identify potential job opportunities that may be available for ex-offenders and to report to the City on employment practices and experience, including a monthly tally of ex-offenders hired and currently working, or an explanation of why none have been hired, and an explanation as to why any ex-offender who applied was refused employment; (2) to cooperate with the City in addressing the goal of securing employment for ex-offenders; (3) that, should there be a failure to comply, the City may withhold payments due under the contract until the contractor achieves full compliance; and, (4) to require any subcontractor it uses who would otherwise be obligated under this section if it were directly contracting with the city to comply with and be bound by the provisions of this section. It is stated that nothing in this legislation shall be construed to provide or constitute a cause of action for any applicant with regard to hiring or selection for employment.

Background Information: The Jacksonville Journey determined that the rehabilitation of ex-offenders is an essential component in a community fight against criminal activity. In this bill, the Council finds that the hiring of ex-offenders into fair paying jobs helps restore economic stability, perpetuates rehabilitation, reduces recidivism, and contributes to a community crime-free environment. The Council further finds that the City should take a leading role in the rehabilitation of ex-offenders, believing that opportunities can be provided without compromising security and without unnecessarily depriving others of opportunities.

Policy Impact Area: Ex-Offenders; Employment; Procurement Regulations

Fiscal Impact: Undetermined

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2008-912

Sponsor: Council Member Webb:

Date of Introduction: October 14, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 17, 2008

Type of Action: Land Purchase Authorization; Appropriation

Bill Summary: This ordinance approves and authorizes the Mayor to close and execute all necessary contracts to effectuate the City of Jacksonville's purchase and acquisition of the parcel of property of 5.5+ acres, identified as 12003 Brady Road, R.E. Number 106069-0000, located on Brady Road near Orange Pickers Road in Council District 6, from George T. Howell, Jr. and his wife Shirley L. Howell, for \$900,000 in accordance with the terms of the City of Jacksonville's Standard Real Estate Division Real Estate Purchase and Sale Agreement, after reviews of the Office of General Counsel. The purpose of the acquisition is to develop the parcel as a park. The ordinance appropriates \$900,000 from Council District 6 Better Jacksonville, River City Renaissance, Autumn Bonds and Parks and Recreation Capital Acquisition and Maintenance funds.

Background: Acquisition of the parcel is contingent upon an adequate survey and proof of clear title. The City's appraisal on the property has the established market value of \$951,000.

Policy Impact: Public Works/Real Estate/Parks & Recreation

Fiscal Impact: This ordinance appropriates \$900,000 from various District 6 Bond accounts.

Analyst: Jackson

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Bill Type and Number: Resolution 2008-914

Sponsor: Council Member Corrigan

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 16, 2008

Type of Action: Expression of support for development of artist's market

Bill Summary: The bill expresses the Council's support for the establishment of a Riverside Artist's Market in the area underneath the Fuller Warren Bridge along the Northbank Riverwalk.

Background Information: Construction has recently been completed on the western end of the Northbank Riverwalk under the Fuller Warren Bridge, including a landscaped plaza and small amphitheater. Original plans for the Riverwalk envisioned the area under the bridge as a potential activity node to attract pedestrian activity and host special events. The City's downtown master plan, *Celebrating The River: A Plan For Downtown Jacksonville*, called for the creation of "legacy projects" that would serve as highly visible catalysts to further development. One of those legacy projects included in the plan was a proposed artists' and farmers' market at the Fuller Warren Bridge location on the Riverwalk.

Policy Impact Area: Downtown/Brooklyn/Riverside redevelopment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-916

Sponsor: Council Member Lee:

Date of Introduction: October 14, 2008

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

Date of Analysis: October 17, 2008

Type of Action: Appropriation; Ordinance Code Waiver; Agreement Amendment Authorization

Bill Summary: This ordinance appropriates \$25,000 from ETR Bonds, Series 2004 (Autumn Bonds) from the Council District 8 Excise Tax Revenue Bond Account, to provide funding to the First Tee of Jacksonville, Inc. to contribute towards the construction of a learning center. The bill waives the requirements of the Autumn Bond, Ordinance 2004-998-E, as amended by 2005-1044-E and Section 106.315, *Ordinance Code*, that bond funds be used on City property and be open to the public. The bill authorizes the Mayor and Corporate Secretary to execute a First Amendment to the Grant Funding Amendment between the City of Jacksonville, First Tee, and the First Amendment to the lease, sublease and construction agreement between the Duval County School Board, the City and First Tee of Jacksonville, Inc. The bill has reverter and default provisions and appoints the Department of Public Works to oversee the project.

Background: First Tee was formed to impact the lives of young people by providing learning facilities and programs that support character development and life enhancing values through the game of golf. Partnering in 12 Duval County schools and numerous youth serving agencies, in 2005-2006, First Tee served over 1200 young participants. \$400,000 was initially appropriated to build the Learning Center. This ordinance appropriates an additional \$25,000 to meet the required amount of \$425,000 to build the center.

Policy Impact: Youth Development

Fiscal Impact: This ordinance appropriates \$25,000 from Council District 8 bond funds.

Analyst: Jackson

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Bill Type and Number: Resolution 2008-917

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: R

Date of Analysis: October 10, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Angela Schifanella as a member of the Jacksonville Historic Preservation Commission, replacing Franklin Reinstine as an architect representative, for a partial term ending March 4, 2009, followed by a first full three-year term ending March 4, 2012.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation 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. In order to restore the appropriate stagger to the membership on the Jacksonville Historic Preservation Commission, Ms. Schifanella is being appointed to a partial term, followed by a full term.

Ms. Schifanella received a master's degree in architecture from Harvard University and is a Florida Licensed Architect in private practice. She resides in the Avondale area within Council District #14.

NOTE: The correct spelling of the name of the appointee is Angela Schifanella, not Angella Schifenella as is shown in the original text.

Policy Impact Area: Jacksonville Historical Preservation Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2008-918

Sponsor: Council President Fussell

Date of Introduction: October 14, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: October 16, 2008

Type of Action: Amendment to FY08-09 budget; CIP amendment

Bill Summary: The bill amends the FY08-09 budget of the Jacksonville Aviation Authority to remove the provision that the authority's budget is appropriated on a line item basis and that transfers between line items are prohibited without Council approval. The bill also amends the 2009-13 Capital Improvement Program to remove the following 4 projects from the JAA's capital program relating to the extension of a runway at Craig Airport: Environmental Assessment-Runway 14/32 Extension (E); Design Runway 14/32 Extension (E); Blast Fence Runway 14/32; and Construct Runway 14/32 Extension (E). Finally, the bill creates a Special Council Contingency – Craig Airport Runway Account and appropriates to that account \$500,000 from the JAA FY08-09 budget line item for the Craig Airport runway extension environmental assessment project.

Background Information: The bill deletes authorization in the CIP for JAA to undertake the specific projects related to planning for and executing the extension of the main runway at Craig Airport and shifts the funding for the environmental assessment project funded in FY08-09 "below the line" into a special contingency reserve account awaiting future Council action. The bill restores the rest of the JAA's budget to a normal fund- and activity-based budget and removes the language amended in during the budget adoption process that appropriated the JAA's funds on a strict line-item basis and prohibited any transfers between line items without Council approval.

Policy Impact Area: JAA operations and capital budgeting

Fiscal Impact: The bill appropriates \$500,000 from the JAA capital projects budget to a Special Council Contingency – Craig Airport Runway Account.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-919

Sponsor: Council Member M. Jones

Date of Introduction: October 14, 2008

Committee(s) of Reference: RCD; LUZ

Date of Analysis: October 16, 2008

Type of Action: Approval of Plan Modifications

Bill Summary: This bill approves and adopts certain modifications to the Community Redevelopment Plan for the Soutel/Moncrief Retail Redevelopment Area. The modified plan is to be implemented by the Jacksonville Economic Development Commission as the City's sole Community Redevelopment Agency. It is provided that the modified plan shall not have the effect of a rezoning of land nor create a legal restriction upon use of the land. The Tax Collector is directed to establish the 2008 tax assessment as the base for the relative increment.

Background Information: The modifications involve the addition of land reviewed in City Council Resolution 2007-726-A, generally known as the New Kings Road Corridor Redevelopment Area.

Policy Impact Area: Community Redevelopment

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-920

Sponsor: Council Member Holt

Date of Introduction: October 14, 2008

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

Date of Analysis: October 16, 2008

Type of Action: Appropriation; CIP Amendment

Bill Summary: This bill appropriates \$153,011.17 from a Trail Ridge Mitigation Funds account to provide funding for the Maxville Park Expansion Phase I project. It is required that funds not expended for the project revert to the funding source of origin. The 2008-2013 Five-Year Capital Improvement Program is amended for said project. Authorization is given for the City to procure the services of HDR Engineering, Inc., in the amount of \$140,269.87, and it is stated that such procurement is exempted from competitive solicitation pursuant to Section 126.107(g), Ordinance Code. It is required that the design fees be provided by HDR Engineering, Inc., under its continuing contract with the City. The Dept. of Recreation and Community Services is to oversee the project and the disbursement of funds.

NOTE: On page 1, line 30, and page 3, line 1, the amount shown is \$140,269.81 rather than \$140,269.87.

Background Information: The appropriation will fund the design and engineering for the parking area, lighted football field, and concession/restroom building.

Policy Impact Area: Landfill Mitigation Funds; Recreation and Parks

Fiscal Impact: \$153,011.17 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Resolution 2008-921

Sponsor: Council Member Holt

Date of Introduction: October 14, 2008

Committee(s) of Reference: TEU; RCD

Date of Analysis: October 16, 2008

Type of Action: Resolution Amendment

Bill Summary: This bill amends Resolution 2008-430-A to correct the legal description. The Legislative Services Division is required to place a copy of this resolution in the file associated with Resolution 2008-430-A.

Background Information: Resolution 2008-430-A designated the former Jacksonville Raceway site as a Brownfield Area. Through an oversight, a small easement parcel was not included in the legal description. The missing parcel was listed in the public meeting notice, but the resolution was not updated to reflect the additional parcel.

Policy Impact Area: Brownfield Areas; Economic Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-922

Sponsor: Land Use and Zoning Committee:

Date of Introduction: October 14, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 17, 2008

Type of Action: Bill Summary: This ordinance approves a Development Agreement between the City of Jacksonville and Lem Turner Investors, LLC, concerning a development known as "Lem Turner Commercial.." The project consists of approximately 4.86± acres located in Council District 11, located at the southwest corner of the intersection of Robena Road and Lem Turner Road (R.E. No. 019741-0000), for 42,000 enclosed square feet of shopping center use, subject to a performance schedule and the payment of an annual renewal fee for the purpose of reserving traffic circulation capacity, pursuant to Part 2, Chapter 655, *Ordinance Code*.

Background: The Planning & Development Department is required to hold an informative workshop and public hearings will be held by the Land Use and Zoning Committee to vet the proposed development project, a shopping center that this legislation approves.

Policy Impact: Economic Development/Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-923

Sponsor: Council President at the Request of the Office of General Counsel

Date of Introduction: October 14, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 16, 2008

Type of Action: Consideration of Recommendation

Bill Summary: This bill considers the recommendation of the Land Use and Zoning Committee concerning the Special Magistrate Recommendation relative to MLG/Ortega Condominiums, LLC.

Background Information: Application was filed with the Planning Commission for a minor modification to an approved Planned Unit Development to increase the height of the western-most residential building from 5 to 6 stories and from 55 to 65 feet on property located at the southwest corner of Herschel Street and Lakeside Drive. The application was denied by the Planning Commission, and the City Council denied the subsequent appeal. A Request for Relief was filed pursuant to Florida Statutes, and the Special Magistrate recommended on September 15, 2008, that the City grant the appeal and review the legality of the Planned Unit Development verification process. It was further recommended that MLG/Ortega Condominiums, LLC, MLG/Ortega Parent, LLC, and Marina at Ortega, Inc., not further change the Planned Unit Development unless warranted by extraordinary circumstances.

Policy Impact Area: Planning and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-925

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 14, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: October 16, 2008

Type of Action: Appropriation; Ordinance Code waiver; emergency request

Bill Summary: The bill appropriates \$5,000 from the Environmental Protection Fund to the Florida Coastal School of Law to assist in the funding of the 2008 FCSL/Jacksonville University Environmental Summit. The bill also waives the provisions of the Ordinance Code to authorize the use of funds from the Environmental Protection Fund for a purpose not specifically outlined in the fund's authorizing legislation. The bill requests emergency approval of the appropriation.

Background Information: The 10th annual Environmental Summit is scheduled for November 6, 2008 on the campus of Jacksonville University, and the Environmental Protection Board has been a sponsor of the event since its inception. This year's topic is Water Wars: Use, Conflict and the Future and the EPB has declared water resource planning to be a top priority of the board, thus justifying the expenditure for this purpose. The appropriation will subsidize registration fees to the event for students and the general public.

Policy Impact Area: Public environmental awareness and information

Fiscal Impact: The bill appropriates \$5,000 from the Environmental Protection Fund

Analyst: Clements