

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

**JEFFREY R. CLEMENTS**  
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(904) 630-1377



117 West Duval Street  
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FAX (904) 630-3403

**Bill Type and Number:** Ordinance 2013-695

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 24, 2013

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 191 – Special Events and Entertainment District – to modify and add definitions; clarify permit requirements; restate indemnification and insurance requirements; provide for quicker conditional approval of permits; require payment of City personnel costs closer to the date of the event; set forth applicant’s responsibilities for event and public safety and emergency services requirements; and allow further discretion regarding public safety and insurance requirements. The bill amends Chapter 250 – Miscellaneous Business Regulations – to provide clarity to special events vendors and special events vendors’ insurance requirements.

**Background Information:** The bill was introduced by the Brown administration to streamline processes and facilitate the holding of special events in the City. The definition of “special event” is clarified to include events at which 500 or more persons will be in attendance at any time within the duration of the event (not at any particular session). The bill adds several facilities/event types to the list of locations exempt from the permitting requirements of the chapter: Metropolitan Park, Hanna Park and Huguenot Park; events conducted in City parks pursuant to Adopt A Park agreements that contain an exemption from the Chapter 191 requirements; and events where the City is the sole event producer or host, provided that commercial participants, vendors and contractors must have a written agreement with the City and must comply with the City’s indemnification and insurance policies. The bill allows an applicant to pay 50% of the estimated cost of City services (JSO, Fire and Rescue, maintenance personnel, clean-up costs, etc.) at the time of application and the remaining 50% by the conclusion of the event.

The indemnification language is amended to delete the requirement that a special event applicant must assume full liability for claims, damages and suits arising from the event and to insert language providing that the applicant must release and forfeit any right of action against the City and its officials and employees and hold the City harmless to the fullest extent permitted by law, except where such officials, officers or employees create or cause a liability or damage by means of willful and wanton acts.

**Policy Impact Area:** Special events

**Fiscal Impact:** Undetermined

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2013-696

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 25, 2013

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

**Bill Summary:** The ordinance transfers \$2,219,443.89 from various solid waste construction projects in order to provide funding for the engineering design, permitting, and wetlands mitigation credit purchases for the Trail Ridge Expansion Phase 6 and 7 disposal units, as initiated by B.t. 13-082; the ordinance amends the 2014-2018 Five-Year Capital Improvement Program, approved by Ordinance 2013-465-E, to reduce funding for the projects entitled "Picketville Road Landfill – I", "Picketville Road Landfill – III" and "North Landfill Closure – IV" and to increase funding for the projects entitled "Tail Ridge Landfill Phase VI and VII"; *emergency passage upon introduction is requested.*

**Background Information:** The projects' site is located in Council District 11.

Emergency passage is requested because the length of time that is required to obtain both the environmental and solid waste permits from the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers and to construct the new disposal unit, the new expansion area may not be ready to accept waste until after the existing space has been exhausted since the Trail ridge Landfill facility only has several more years of space available.

**Policy Impact:** Public Works/Solid Waste

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-697

**Sponsor:** Council Member Carter:

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 25, 2013

**Type of Action:** Easement Closure; Ordinance Code Waiver; Request for Emergency Passage

**Bill Summary:** The ordinance closes and abandons, and/or disclaims an easement (R.E. No. 006658-0000) for drainage, sewerage, utilities and fire department emergency access located in White city, in Council district 12 (the "subject property"), as record in Plat Book 5, Page 70, part of lot 1 and part of a closed street recoded in Official Records Book 9485, Page 320, of the Official Public Records of Duval County, Florida, at the request of property owner Allen West; the ordinance waives Section 123.102 © (1) (II), *Ordinance Code*, to waive the \$500 application fee; the ordinance requests on cycle emergency passage.

**Background Information:** The subject easement was established by "reservation" upon closure of Willis Avenue between Eleanor Avenue and West Beaver Street in Ordinance 84-816-426, dated September 7, 1984. The property is located in Council District 12. The easement rights "reserved" by Ordinance 84-816-426 have never been utilized, nor is there a need for these rights in the future. This closure request has been sent to the various municipal and utility agencies, including Jacksonville Fire and Rescue, which might have an interest in this matter, and there were no objections to the request for closure. The City has no need for this easement. A waiver of the \$500 application fee for the closure process is requested because the applicant did not pay the application fee. The nature of the emergency is to allow the applicant to sell the property without further delay.

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

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-698

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 25, 2013

**Type of Action:** Street Closure

**Bill Summary:** The ordinance closes, abandons and/or disclaims a portion of Oak Street and Leila Street, platted, opened, and improved rights-of-way in Brooklyn established and recorded in Deed Book AJ, Page 723 of the former public records of Duval County in Council District 7, at the request of the Office of Economic Development (the "applicant") to facilitate the redevelopment of the Brooklyn area, subject to reservation unto the City of Jacksonville and JEA of easements over the closed portion of the rights-of-way for ingress and egress and for all utilities.

**Background Information:** The closure in this proposed legislation is requested to facilitate the redevelopment of the Brooklyn area. Ordinance 2007-803-E closed a portion of Oak Street east of the intersection and a portion of Leila Street north of the intersection. Ordinance 2012-703-E closed a portion of Oak Street west of the intersection. The intersection, however, was left out of the legal descriptions. An "All Utilities Easement" will be reserved over the closed right-of-way in the name of the City of Jacksonville and JEA. This request was sent to various state, municipal, and utility agencies which might have an interest in the matter and there were no objections.

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

**Fiscal Impact:** No closure application fee has been paid because the applicant is a City agency and exempt from the closure application fee.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-699

**Sponsor:** Council President pursuant to Section 118.805, *Ordinance Code*:

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 25, 2013

**Type of Action:** Establishing Criteria

**Bill Summary:** The ordinance concerns Chapter 118 (City Grants), Section 118.805 (Eligibility Qualifications for Public Service Grants), *Ordinance Code*, establishing the 2013-2014 Priority Populations for Public Service Grant Appropriations.

**Background Information:** Pursuant to the *Ordinance Code*'s stipulations, the Public Service Grant Council has determined that Priority Populations in Eligibility Qualifications for Public Service Grants for the 2014-2015 Fiscal Year are: (1) Homeless persons and families. The percentage of available funding allocated to this priority populations shall be 45%; (2) Low-income persons and families. The percentage of available funding allocated to this priority populations shall be 35%; (3) Adults with physical, mental and behavioral disabilities. The percentage of available funding allocated to this priority population shall be 20%.

**Policy Impact:** Public Service Grants/Public Service Grant Council

**Fiscal Impact:** Minimal

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-700

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 24, 2013

**Type of Action:** Authorization to issue industrial development revenue bonds; authorization to execute Interlocal agreements; authorization to execute identification of qualified hedge; designating oversight agency

**Bill Summary:** The bill authorizes the issuance of industrial development revenue bonds in an amount not to exceed \$40,400,000 for the benefit of YMCA of Florida's First Coast, Inc. for the purposes of refinancing outstanding debt from a previous bond issue and of constructing a new YMCA in Jacksonville and expanding the Winston Family YMCA facility in St. Johns County. The bill authorizes the execution of interlocal agreements with St. Johns County, Nassau County, Baker County and Clay County to provide for the expenditure of bond proceeds for the benefit of facilities located within those counties. The bill designates the Office of Economic Development as the City's oversight agency for the project and authorizes the Economic Development Officer of the OED to execute hedge contracts with regard to the bond issue.

**Background Information:** In 2011 the City authorized the issue of \$21,000,000 of IRBs for the YMCA of Florida's First Coast to refinance existing debt and to fund the construction, expansion or renovation of numerous YMCA facilities in multiple counties in Northeast Florida. This bond issue would refinance a substantial portion of that previous bond issue and would fund two new projects – construction of a new Yates Family YMCA on Riverside Avenue and the purchase and improvement of 8.4 acres of land adjacent to the Winston Family YMCA on Palm Valley Road in St. Johns County. The bill authorizes the execution of Interlocal agreements with the counties in which the proceeds of the new bond issue will be expended.

**Policy Impact Area:** Economic development

**Fiscal Impact:** None to the City – all liability for the bonds rests with YMCA of Florida's First Coast.

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2013-705

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 24, 2013

**Type of Action:** Conditional authorization to issue homeowner mortgage revenue bonds

**Bill Summary:** The bill authorizes the Jacksonville Housing Finance Authority to issue up to \$40,000,000 in homeowner mortgage revenue bonds or provide financing for financial institutions to make available discounted mortgages, subject to a successful application by the JHFA for a portion of the state's private activity bond volume cap allocation. The bill requires the JHFA to obtain additional Council approval to sell the bonds once an allocation of the state's private activity bond cap is received.

**Background Information:** The bonds will be used to provide funding to private lenders to issue mortgages at discounted rates to low- and moderate-income borrowers for the purchase or rehabilitation of owner-occupied single family residences. The JHFA must apply to the state for an allocation of private activity bond capacity from the Northeast Florida regional pool before the bonds can be issued.

**Policy Impact Area:** Affordable housing assistance

**Fiscal Impact:** The bonds do not constitute a debt, liability or obligation of the City or state payable from any public revenues.

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2013-706

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 18, 2013

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Dr. Dawn Emerick to the Context Sensitive Streets Standards Committee, as a community health representative, for an initial term ending July 31, 2016.

**Background Information:** The Context Sensitive Streets Standards Committee is established pursuant to Chapter 32, Part 7, *Ordinance Code*, and charged to review and revise the City standard specifications, City standard details and rules, standards and policies set forth in the Land Development Procedures Manual and any other regulations, relating to transportation, traffic engineering and roadway design, and make recommendations concerning amendments to the Ordinance Code and 2030 Comprehensive Plan pertaining to such issues on or before March 1, 2014. Section 32.702(b)(1), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Mayor, subject to confirmation by the Council, in various categories, including a community health or public health representative.

Dr. Emerick received a doctorate degree in education leadership and social marketing, from the University of North Florida, and is the CEO of the *Health Planning Council of Northeast Florida*. She resides in The Cape area within Council District #11.

**Policy Impact Area:** Context Sensitive Streets Standards Committee operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh



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**Bill Type and Number:** Resolution 2013-707

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 18, 2013

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Montasser M. "Monty" Selim to the Context Sensitive Streets Standards Committee, as an urban planner, for a first full term ending July 31, 2017.

**Background Information:** The Context Sensitive Streets Standards Committee is established pursuant to Chapter 32, Part 7, *Ordinance Code*, and charged to review and revise the City standard specifications, City standard details and rules, standards and policies set forth in the Land Development Procedures Manual and any other regulations, relating to transportation, traffic engineering and roadway design, and make recommendations concerning amendments to the Ordinance Code and 2030 Comprehensive Plan pertaining to such issues on or before March 1, 2014. Section 32.702(b)(1), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Mayor, subject to confirmation by the Council, in various categories, including an urban planner.

Mr. Selim received a bachelor's degree in civil engineering from Cairo University, Egypt and is President of *Selim Consulting, Inc.* He also serves on the Downtown Development Review Board. Mr. Selim resides in the Mandarin area within Council District #6.

**NOTE:** Because both boards have substantive powers, Mr. Selim may be required to resign from the Downtown Development Review Board upon appointment to the Context Sensitive Streets Standards Committee.

**Policy Impact Area:** Context Sensitive Streets Standards Committee operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-708

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

**Date of Introduction:** October 22, 2013

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

**Date of Analysis:** October 18, 2013

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Terry Shaw, P.E. to the Context Sensitive Streets Standards Committee, as civil engineer, for a first full term ending July 31, 2017.

**Background Information:** The Context Sensitive Streets Standards Committee is established pursuant to Chapter 32, Part 7, *Ordinance Code*, and charged to review and revise the City standard specifications, City standard details and rules, standards and policies set forth in the Land Development Procedures Manual and any other regulations, relating to transportation, traffic engineering and roadway design, and make recommendations concerning amendments to the Ordinance Code and 2030 Comprehensive Plan pertaining to such issues on or before March 1, 2014. Section 32.702(b)(1), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Mayor, subject to confirmation by the Council, in various categories, including a civil engineer, who has a specialty in transportation or a transportation planner.

Mr. Shaw received a master's degree in civil engineering from Louisiana State University and is a professional engineer registered in Florida. He is an Associate Vice President / Group Director with *HNTB*, an engineering firm. Mr. Shaw has previously served on the Environmental Protection Board and resides in Council District #3.

**Policy Impact Area:** Context Sensitive Streets Standards Committee operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh