

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2012-629

Introducer/Sponsor(s): Council Members Crescimbeni and Schellenberg

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 25, 2012

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 55 – Downtown Investment Authority – to clarify that the 5 seats on the authority which are to be filled by persons representing specific categories are to be filled without multiple persons representing the same category. The amendment also strikes a provision stating that all appointments to fill vacancies on the board shall be by nomination of the Mayor and confirmation by City Council.

Background Information: The chapter currently provides that, in addition to two Northbank CRA residents or persons with substantial business interests and two Southbank Northbank CRA residents or persons with substantial business interests, one of each appointed by the Mayor and the City Council, the board shall consist of five members representing the following categories: downtown resident (a minimum of 2 years); a downtown retail operator; a downtown real property owner, a member of the banking or finance industry, a person with business management expertise, a practicing attorney, a person with commercial real estate experience, an architect, or an urban planner. The current wording of the section could be interpreted to allow multiple appointees in the same category and none in other categories. This amendment clarifies that the intent is to have only one person in each category.

Policy Impact Area: Downtown Investment Authority operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2012-630

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 23, 2012

Committee(s) of Reference: LUZ

Date of Analysis: October 26, 2012

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance amends Chapter 342 (Construction Trades Regulations), Section 342.110 (Trades, Crafts, Contractors and Subcontractors), *Ordinance Code*, so as to create a new contractor category of Demolition Specialty Contractor.

Background Information: During the 2012 Florida Legislative Session, Senate Bill 704 amended the definition of contractor found in s.105(3) F.S. Due to this change, all demolition of buildings now requires licensure as a Ch. 489. Part I (General Building or Residential) Contractor, or as a locally licensed Demolition Specialty Contractor. The proposed ordinance amendment in this bill would create a local Demolition Specialty Contractor category. The proposed language provides for a Grand Fathering option to facilitate the licensure (without examination) of the existing, currently unregulated local demolition contractors. In the draft, the Grand Father option would close as of June 1, 2013.

Policy Impact: Ordinance Code/Building Contractors

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-648

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 23, 2012

Committee(s) of Reference: PHS; F

Date of Analysis: October 26, 2012

Type of Action: Approval of Lease Modification

Bill Summary: The ordinance approves and authorizes the Mayor to execute a Sovereignty Submerged Lands Fee Waived Lease Modification (BOT No. 160345512) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida under which the City is authorized to operate for the Jacksonville Sheriff's Office, through July 12, 2036, an 8-slip public docking facility at the Arlington Boat Ramp.

Background Information: The docking facility will provide the Jacksonville Sheriff's Office with slips for patrol boats for the Sheriff's Office's marine unit. The facility is located in Council District 1. The Board of Trustees of the Internal Improvement Trust Fund consists of Florida's Cabinet (the Governor, Lieutenant Governor, Attorney-General, Agriculture Commissioner and Chief Financial Officer).

Policy Impact: Public Works/Real Estate/Jacksonville Sheriff's Office/Waterways

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-649

Sponsor: Council President pursuant to Chapter 380, *Ordinance Code:*

Date of Introduction: October 23, 2012

Committee(s) of Reference: TEU

Date of Analysis: October 26, 2012

Type of Action: CON Renewal

Bill Summary: The ordinance grants the application of Jabrusco LLC d/b/a First Coast Mulch & Recycling for renewal of its Certificate of Public Convenience and Necessity (CON) to operate a yard trash and clean wood processing facility; provides for conditions of said certificate.

Background Information: The applicant's yard trash and clean wood processing facility is located at 11864 Camden Road, Council District 11. The Solid Waste Division of the Public Works Department supports approval of the application provided that the applicant agrees to accept and comply with specific conditions, some of which address concerns such as: requiring all haulers to identify materials transported to the facility from outside Duval County; ensuring that all employees are properly trained; ensuring that trained spotters are at tipping areas at all hours to ensure that only yard waste and clean wood are accepted and "unacceptable waste" such as hazardous waste, special waste, sludge are not; submission of monthly Waste Analysis Reports of operations; processed or unprocessed material cannot be stored on the site longer than six months; the facility agrees to hold the City harmless from any liability related to all work performed; adhering to regulations governing wastewater and sewage disposal/treatment; scales; noise control; sediment and erosion control; odor control and litter control.

Policy Impact: Public Works/Solid Waste/Certificate of Public Convenience and Necessity

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-650

Introducer/Sponsor(s): Council Member Boyer

Date of Introduction: October 23, 2012

Committee(s) of Reference: R, F

Date of Analysis: October 25, 2012

Type of Action: Ordinance Code waiver; revised reporting deadline; emergency action request

Bill Summary: The bill waives a provision of Ordinance Code Sec. 118.805 (Eligibility Qualifications for Public Service Grant) in order to delay the date by which the Public Service Grant Council must present to the City Council a list of recommended Priority Populations for public service grant funding for the upcoming fiscal year from November 15 to November 30, 2012. The bill requests emergency action so that the waiver may be enacted prior to the current deadline, which would be prior to the normal three reading cycle for an ordinance.

Background Information: The Ordinance Code requires the Public Service Grant Council each year to recommend to the City Council its list of priority populations for public service grant funding, representing the areas of greatest community need at the time to which the PSG Council recommends that the bulk of public service grants be directed. The deadline for the report to City Council is November 15th. This year the PSG Council is engaged in a more vigorous than usual consideration process of potential priority populations and needs more time to complete its task.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2012-651

Sponsor: Council Member Carter:

Date of Introduction: October 23, 2012

Committee(s) of Reference: R; F

Date of Analysis: October 26, 2012

Type of Action: Surplus Property Conveyance; Ordinance Code Waiver

Bill Summary: This ordinance concerns surplus property of the City; the ordinance declares that a 2002 Chevrolet Impala (VIN 2G1WF52E7729213060, Vehicle Number 8424-10) valued at \$2,937 to be surplus to the needs of the City and authorizes the appropriate officials of the City to transfer title of the property to the Public Defender's Office for the Fourth Judicial Circuit at no cost; the ordinance waives Section 122.812 (C), *Ordinance Code*, to allow disposition of the property for other than fair market value; designates the Fleet Management Division of the Intra-Governmental Services monitor of actual use of the vehicle.

Background Information: Procurement Chief Greg Pease certifies that the vehicle has been determined by Fleet Management to be obsolete in that it is no longer cost-efficient in meeting its overall operational needs. The vehicle is needed by the Office of the Public Defender, 4th Judicial Circuit, for use in its day to day operations including, but not limited to transporting witnesses, investigators, "on-call" attorneys and others in the performance of their duties.

Policy Impact: Procurement Division/Intra-Governmental Services/Fleet Management/Public Defender's Office

Fiscal Impact: The surplus value of the vehicle being conveyed by this legislation is \$2,937.00.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-652

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: October 23, 2012

Committee(s) of Reference: LUZ

Date of Analysis: October 25, 2012

Type of Action: Comprehensive Plan amendment

Bill Summary: The bill amends the Capital Improvements Element of the 2030 Comprehensive Plan to incorporate the latest updated list of level-of-service-related capital improvement projects.

Background Information: The Capital Improvements Element of the Comp Plan includes a listing of all federal, state, City, JTA, JEA and private developer-funded projects in Jacksonville that are level-of-service-related, but does not include the other capital projects listed in the City's CIP that are not related to levels of service mandated by the Comp Plan. The listing includes transportation-related projects ranging from major road and bridge construction to bicycle lanes and pedestrian improvements to light rail and streetcar projects, public school projects, and JEA water and sewer projects.

Policy Impact Area: Capital improvement planning

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2012-654

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

Date of Introduction: October 23, 2012

Committee(s) of Reference: F, RCD

Date of Analysis: October 25, 2012

Type of Action: Amendment of prior ordinance and loan agreement

Bill Summary: The bill approves an amendment to prior ordinance 2000-643-E for the purpose of restructuring a City HOME loan to Logan's Pointe Associates, Ltd. for the Logan's Pointe Apartments project. The bill authorizes modifications to the mortgage and promissory note and extends the term of the agreement for an additional 17 years under new loan terms.

Background Information: In 2000 the City entered into a 30 year mortgage with Logan Pointe Associates to provide \$200,000 in federal HOME affordable housing funding to a 248 unit apartment complex at the corner of Beach Boulevard and St. Johns Bluff Road. The loan was a non-amortizing loan at 1% interest, with principal and interest due as a balloon payment in 2030. This bill extends the term of the mortgage for an additional 17 years to 2047; converts the loan from a non-amortizing to an amortizing loan with annual payment due from surplus cash, if any; requires that all interest accrued to date (\$24,224.66) be due and payable at closing of the new loan; requires the developer to pay \$2,500 in City legal fees for amendment and execution of new documents; and approves the insertion of new HUD-required language relating to subordinate mortgage requirements.

Policy Impact Area: Affordable housing

Fiscal Impact: The City will be paid \$2,500 for legal expenses; the balloon loan repayment deadline is extended by 17 years.

Analyst: Clements

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Bill Type and Number: Ordinance 2012-655

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 23, 2012

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

Date of Analysis: October 26, 2012

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$297,780 in Community Development Block Grant Program income recaptured from the repayment of loans to the I.M. Sulzbacher Center for the Homeless, Inc. to provide funding for homeless service activities, as initiated by B.t. 13-005; the ordinance provides a carryover of funds from year to year until such funds are expended or lapse according to the originating state or federal program grant; emergency passage is requested.

Background Information: The Sulzbacher Center applied to the City's Housing and Community Development Division for 2012-2013 Housing Opportunities for Persons with AIDS ("HOPWA") and Emergency Shelter Grant ("ESG") funding but was denied funding based upon the center's failure to meet the City's minimum application score. In recognition of the center's significant work in the areas of assistance to the homeless, the center is being awarded 2010 and 2011 grant year lapsed funds from those funding sources. There are no match requirements. Emergency passage of the legislation is requested because of a critical current need for homeless services.

Policy Impact: Neighborhoods Department/Housing and Community Development Division/CDGB Program

Fiscal Impact: The ordinance appropriates \$297,780 in CDBG funding that requires no City match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2012-656

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 23, 2012

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

Date of Analysis: October 26, 2012

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grant; the ordinance appropriates \$166,850 in Federal Emergency Solutions Grant (“Hearth-ESG”) funds to provide housing assistance and related supportive services within Duval County through Catholic Charities Bureau, Inc., and I. M. Sulzbacher Center for the Homeless, Inc., as initiated by B.T. 13-006; the ordinance provides a carryover of funds from year to year until such funds are expended or lapse according to the originating state or federal program grant; provides for further Council action if revenue differs; requests emergency passage.

Background Information: The ordinance appropriates a supplemental Emergency Solutions Grant (ESG) allocation from the U.S. Department of Housing and Urban Development in the amount of \$166,850; the funding is awarded to I.M.Sulzbacher Center for the Homeless, Inc. (\$100,000) and Catholic Charities Bureau, Inc. (\$66,850). There is no grant match required. The nature of the emergency is that the funding is needed to meet a critical current need for homeless services.

Policy Impact: Neighborhoods Department/Housing and Community Development Division/Emergency Solutions Grant (ESG) Program/the Homeless

Fiscal Impact: The ordinance appropriates \$166,850 in federal funds with no local match required.

Analyst: Jackson

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Bill Type and Number: Resolution 2012-657

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: October 23, 2012

Committee(s) of Reference: LUZ

Date of Analysis: October 25, 2012

Type of Action: Ruling on appeal from Historic Preservation Commission decision

Bill Summary: The bill gives Council's ruling on an appeal of a decision by the Jacksonville Historic Preservation Commission to deny the request of the owner to demolish the Bostwick Building at 101 E. Bay Street.

Background Information: The Bostwick Building (also known as the Guaranty Trust building for its long-time occupant or as the "Jaguar" building because of the jaguar mural painted on the plywood window coverings when the Jacksonville Jaguar franchise was awarded to the city) was one of the first large buildings built in downtown Jacksonville following the Great Fire of 1901. Because of its age the building is eligible for designation as a historic landmark, but is not currently so designated. The building has been vacant for many years and is in poor condition. The owner claims that the building is not economically viable to be restored and should be demolished. Code enforcement fines continue to accrue on the building because of its condition.

Policy Impact Area: Historic preservation; property code enforcement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2012-658

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: October 23, 2012

Committee(s) of Reference: LUZ

Date of Analysis: October 25, 2012

Type of Action: Ruling on appeal from Planning Commission decision

Bill Summary: The bill gives the Council's ruling on an appeal by Arlington Cardinal Plaza, LLC of a decision by the Planning Commission to deny the company's request for a zoning exception to allow sale of alcoholic beverages for off-premises consumption at the Arlington Cardinal Plaza shopping center at 926 Arlington Road near the intersection of Arlington Road and the Arlington Expressway.

Background Information: Arlington Cardinal Plaza, LLC applied for a zoning exception to allow the operation of a package store in a largely vacant shopping center in a CCG-1 zoning district. The Planning Department recommended approval of the exception; the Planning Commission, after considerable public comment in opposition to the application, voted to deny the exception.

Policy Impact Area: Zoning exception appeal

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2012-659

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

Date of Introduction: October 23, 2012

Committee(s) of Reference: PHS, F

Date of Analysis: October 25, 2012

Type of Action: Authorizing housing revenue bond issue and bond refinancing; authorizing application for private activity bond cap allocation

Bill Summary: The bill authorizes the Jacksonville Housing Finance Authority to apply to the state for an allocation of the regional private purpose bond cap for purposes of issuing up to \$40 million in JHFA homeowner mortgage revenue bonds, which may be used for the purpose of purchasing mortgage loans originated by local lenders for the purchase or rehabilitation of single family homes in Duval County, or for the purpose of refunding previously-issued mortgage revenue bonds.

Background Information: The bill provides that the JHFA shall not sell the Bonds without further prior approval of the Council. Said approval is contingent upon the Authority providing the Council a written report containing specific financing details regarding the use of budgeted funds, costs of issuance, and other information which may be required by the Council. The Bonds issued by the Authority for the project shall not be deemed to constitute a debt, liability, or obligation payable from the general revenues of the Authority or the City, and the general credit and taxing power of the City are not pledged to the payment of the bonds.

Policy Impact Area: Affordable housing financing

Fiscal Impact: The bill authorizes the sale of up to \$40 million in homeowner mortgage revenue bonds contingent upon further approval of detailed uses by the City Council.

Analyst: Clements

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Bill Type and Number: Resolution 2012-660

Sponsor: Council President Bishop

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment

Bill Summary: This bill appoints Wight S. Greger to the Jacksonville Housing Finance Authority, replacing Kenneth Filip for a first full four-year term ending November 30, 2016.

Background Information: The Jacksonville Housing Finance Authority is established pursuant to Chapter 35, *Ordinance Code*, and charged to ensure compliance with Sec. 159.601, *Florida Statutes*, regarding the encouragement of investment by private enterprise and the stimulation of construction and rehabilitation of housing through the use of public financing and the provision of low-cost loans to purchase affordable housing. Sec. 35.704, *Ordinance Code*, provides that two of the five members of the board shall be appointed by the Council.

Ms. Greger received a bachelor's degree in political science from the University of North Florida and is a consultant. She was employed with the City of Jacksonville from 2006 to 2011, and served as the Director of Housing and Neighborhoods for four years. Ms. Greger resides in the Avondale area within Council District #14.

Policy Impact Area: Jacksonville Housing Finance Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-661

Sponsor: Council President Bishop

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment

Bill Summary: This bill appoints James C. Poindexter to the Public Service Grant Council, filling the seat previously held by former Councilwoman Gwen Yates, for an unexpired term ending December 31, 2013.

Background Information: The Public Service Grant Council is established pursuant to Chapter 118, *Ordinance Code*, and charged with the review and evaluation of all Public Service Grant applications and responsibility for making funding recommendations to the Mayor and City Council for Public Service Grants. Section 118.803, *Ordinance Code*, provides that three of the seven members of the council are appointed the City Council.

Mr. Poindexter received a bachelor's degree in political science from Rollins College and is a Law Clerk /Marketing Director with *Delegal Law Offices*. He is an active community volunteer, participating with *Jacksonville Community Council, Inc.* and serving as a Mentor with *Communities in Schools*. Mr. Poindexter resides in the San Marco area within Council District #5.

Policy Impact Area: Public Service Grant Council operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-662

Sponsor: Council Member Boyer

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment

Bill Summary: This bill appoints Ivan C. Clare to the Jacksonville-Duval County Council on Elder Affairs, replacing Rudolph Albert as the representative for Council District 5, for a first term ending June 30, 2014.

Background Information: The Jacksonville-Duval County Council on Elder Affairs is established pursuant to Chapter 82, *Ordinance Code*, and charged to serve as an advocate, for the older persons in the city, to the governmental agencies responsible for the various plans and programs designed to help older persons; assist in the implementation of plans and programs selected by regional organizations, as they relate to the city and its citizens; and designate priorities among programs developed in the city by public, nonprofit and private providers concerning older persons. Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members.

Mr. Clare retired from the City of Jacksonville, as the Chief of Public Information, in 1995. He previously served on the Council on Elder Affairs from 2000 to 2004. Mr. Clare resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville-Duval County Council on Elder Affairs operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-663

Sponsor: Council President at the request of the Southeast District CPAC

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Southeast District Citizens Planning Advisory Committee's appointment of Daniel A. Becton to the Taxation, Revenue Utilization and Expenditures (TRUE) Commission, replacing Gamal Lyons, for a term first ending June 30, 2015.

Background Information: The TRUE Commission is established pursuant to Chapter 57, *Ordinance Code*, and charged to act as an advisory body to the city concerning fiscal policy and may review any aspect of fiscal policy, including: the city's long-range financial soundness, planning budgeting, and management; the city's budgetary process, including taxation, revenue generation, expenditures, use of permit fees and user fees, bonding capacity, franchise fees, state and federal mandates, privatization, "zero based" financing and other similar topics; the appropriateness of each revenue source the city receives to make up its annual general revenue budget; potential new revenue sources, such as impact fees, and the use of any such funds; the pre- and post-retirement benefit structure for city employees and the potential impact on the financial status of the city; recommendations that will help make Jacksonville the most fairly-taxed and financially-sound city in the nation; recommendations to keep the public better informed about important issues of city financing and budgeting which affect their lives; and other areas as the commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that six of the members of the commission shall be selected, one each by the CPAC's in the six Planning Districts, and shall be confirmed by the Council.

Mr. Becton received a bachelor's degree in business management / management information systems from Valdosta State University and is the President of *Planogramming Solutions, inc.*, a consulting firm. He is a member of the Southeast District CPAC and resides in the Deercreek area within Council District #13 in Planning District #3 (Southeast).

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-664

Sponsor: Council President Bishop

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Reappointment

Bill Summary: This bill reappoints Karl-Gustav M. Soderholm, to the Building Codes Adjustment Board (BCAB), for a second three-year term ending September 30, 2015.

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

Mr. Soderholm received a bachelor's degree in landscape architecture from the University of Florida and is a state licensed Landscape Architect. He is the Vice President/Director of Landscape Architecture with *England-Thims & Miller, Inc.* Mr. Soderholm resides in Council District #6.

Attendance: According to information provided by the staff for the BCAB, Mr. Soderholm has attended 76% of the meetings since his initial appointment in 2010.

	Meetings Attended	Meetings Held
2010	3	3
2011	5	7
2012	5	7
Total	13	17

Policy Impact Area: Building Codes Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-665

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Helen H. Albee, as a member of the JEA Board, replacing Julian E. Fant, III, for a first full term ending February 28, 2016.

Background Information: The JEA is established pursuant to Article 21, *Jacksonville Municipal Charter*, and authorized to own, manage and operate a utilities system within and without the City of Jacksonville. The JEA is created for the express purpose of acquiring, constructing, operating, financing and otherwise have plenary authority with respect to electric, water, sewer, natural gas and such other utility systems as may be under its control now or in the future. Section 21.03(a), *Municipal Charter*, provides that the seven members of the JEA Board are to be city residents and electors appointed by the Mayor and confirmed by Council.

Ms. Albee received a law degree from the University of Florida. She is a Partner at *Henrichsen Siegel* and a former Assistant State Attorney. Ms. Albee resides in Duval County.

Policy Impact Area: JEA Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-666

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Peter E. Bower, as a member of the JEA Board, replacing Charles Appleby, for an unexpired term ending February 28, 2014.

Background Information: The JEA is established pursuant to Article 21, *Jacksonville Municipal Charter*, and authorized to own, manage and operate a utilities system within and without the City of Jacksonville. The JEA is created for the express purpose of acquiring, constructing, operating, financing and otherwise have plenary authority with respect to electric, water, sewer, natural gas and such other utility systems as may be under its control now or in the future. Section 21.03(a), *Municipal Charter*, provides that the seven members of the JEA Board are to be city residents and electors appointed by the Mayor and confirmed by Council.

Mr. Bower received a master's degree in business administration from the University of North Florida and is the President / CEO at *Riverplace Capital Management, Inc.*. He resides in the Ortega Forest area within Council District #14.

Policy Impact Area: JEA Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2012-667

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Eric Brian Smith as a member of the Jacksonville Housing Authority, replacing Valerie Chritton, for a first term ending September 16, 2015.

Background Information: The Jacksonville Housing Authority is established pursuant to Chapter 51A, Ordinance Code, and charged to within its area of operation, prepare, carry out, acquire, lease, and operate housing projects; and provide for the construction, reconstruction, improvement, alteration, or repair of any housing project or any part thereof. Section 51A.103, *Ordinance Code*, provides that the seven members of the board shall be appointed by the Mayor, subject to confirmation of the Council.

Former Council Member Smith received a law degree from the University of Florida and is a Partner at *Maddox Horne Law Firm and Governance, Inc.* His public service includes three terms with the Florida House of Representatives and over 20 years on the Jacksonville City Council, including two terms as Council President. Mr. Smith resides in the Little March Hill area within Council District #11.

Policy Impact Area: Jacksonville Housing Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2012-668

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 23, 2012

Committee(s) of Reference: R

Date of Analysis: October 22, 2012

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Richard M. Christmas as a member of the Construction Trades Qualifying Board, replacing Ray Leach as an irrigation representative, for a first term ending September 30, 2014.

Background Information: The Construction Trades Qualifying Board is established pursuant to Chapter 62, *Ordinance Code*, and charged to administer Chapter 342; ensure that an applicant for any certificate meets the qualifications provided by law; provide for the preparation, administration and grading of examinations; decide questions of definition and interpretation of the scope of work of the various construction trades covered; make recommendations to the Council for amendment to ordinances it is required to administer; and provide a continuous study of the different trades and crafts regulated and recommend the regulation of additional trades or crafts as may be determined to protect the public health, safety and welfare. Section 62.101, *Ordinance Code*, provides that the 18 members are appointed by the Mayor and confirmed by the Council, and that one of the members shall be an irrigation contractor.

Mr. Christmas is a board certified irrigation contractor and is a Sales/Project Manager with *North Florida Irrigation Equipment, Inc.* He resides in the Love Grove area within Council District #4.

Policy Impact Area: Construction Trades Qualifying Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2012-673

Introducer/Sponsor(s): Council Member Crescimbeni

Date of Introduction: October 23, 2012

Committee(s) of Reference: F, RCD

Date of Analysis: October 25, 2012

Type of Action: Appropriation

Bill Summary: The bill appropriates \$512,118 from SMG-managed facility revenue accounts and \$67,508 from Cecil Commerce Center recreation center operations to a Special Council Operating Contingency fund in order to place such revenues "below the line" in the FY12-13 budget and reserve the funds for future appropriation by the Council.

Background Information: In March of 2012 the City issued an RFP seeking qualified companies interested in managing the City's public assembly facilities (Veterans Memorial Arena, EverBank Field, Times-Union Center, Cecil Commerce Center recreation facility, etc.) as a potential successor to SMG, which has managed the facilities since the early 1990s and whose contract expires on March 31, 2013. SMG made a proposal to continue managing the facilities for a reduced management fee, in competition with another company called Global Spectrum. The City's lease with the Jacksonville Jaguars for use of EverBank Field provides that the Jaguars have the right to approve any facility manager chosen by the City to operate the stadium. The Jaguars have informed the City that their preference is to retain SMG as the facility manager. The General Counsel has issued an opinion stating that "the City has no real ability to do other than agree with the Jaguars or, if a valid reason exists in good faith such that contract terms allow, reject the proposals." This bill is intended to recognize the savings to the City from a reduced management fee that would occur under an SMG contract renewal as proposed in their response to the RFP for the period of April through September, 2013 following the expiration of the existing contract, and to allocate those future savings to a Council-controlled special contingency fund for future appropriation.

Policy Impact Area: Public facility contractual operations

Fiscal Impact: The bill appropriates \$579,626 of the \$1.2 million appropriated in the FY12-13 budget for facility management from the budgets of SMG-managed facilities to a Special Council Operating Contingency fund for future allocation.

Analyst: Clements