

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-906

Sponsor: Rules Committee

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-2

Bill Summary: The bill expresses the Council's support for proposed legislative bill J-2 which would amend the City Charter with regard to the Police and Fire Pension Fund to permit the fund to increase its investments in real estate from 10% to 20% of the fund's total assets (cost basis).

Background Information:

Policy Impact Area: Pension fund investment options

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Resolution 2008-907

Sponsor: Rules Committee

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-3

Bill Summary: The bill expresses the Council's support of proposed legislative bill J-3 which would amend the City Charter to add a new section requiring the boards of directors or trustees and the chief and deputy chief executive officers of the School Board, Port Authority, Aviation Authority, Transportation Authority, and Police and Fire Pension Fund to file statements of financial interests annually with the Supervisor of Elections' office.

Background Information: *Florida Statutes* section 112.3145(1)(a)(2)(g) provides that a "local officer" subject to financial disclosure may include "Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance or resolution creating the board."

Policy Impact Area: Financial reporting requirement for board and commission members and independent authority chief executives and deputy chief executives.

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-926

Sponsor: Council President at the request of

Date of Introduction: October 28, 2008

Committee(s) of Reference: F, RCD

Date of Analysis: October 30, 2008

Type of Action: Authorization to execute license agreement

Bill Summary: The bill authorizes the administration to execute a license agreement with the Jacksonville Maritime Museum Society, Inc. to operate the Jacksonville Maritime Museum at 1015 Museum Circle for 1 year with 2 additional 1-year options at a token rental of \$1 per year. The bill designates the Recreation and Community Services Department as the City's oversight agency for the agreement.

Background Information: The City entered into the initial lease for the maritime museum, located on the Southbank Riverwalk at the foot of the Main Street Bridge, in 1992. The lease was last renewed in 2005 for 1 year with two 1-year renewal options and expired September 30, 2008. The Maritime Museum Society is required by the license agreement to have the facility open to the public a minimum of 25 hours per week. The City pays the utility costs for the building.

Policy Impact Area: Public facility utilization; tourism promotion

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-927

Sponsor: Council President at the request of

Date of Introduction: October 28, 2008

Committee(s) of Reference: F, RCD

Date of Analysis: October 30, 2008

Type of Action: Authorization to execute license agreement

Bill Summary: The bill authorizes the administration to execute a license agreement with the Jacksonville Historical Society, Inc. to operate the Jacksonville Historical Center at 300-C Wharfside Way for 1 year with 2 additional 1-year options at a token rental rate of \$1 per year. The bill designates the Recreation and Community Services Department as the City's oversight agency for the agreement.

Background Information: The City entered into the initial lease for the historical center, located on the Southbank Riverwalk at the foot of the Main Street Bridge, in 1992. The lease was last renewed in 2005 for 1 year with two 1-year renewal options and expired on September 30, 2008. The Historical Society is required by the license agreement to have the facility open to the public a minimum of 25 hours per week. The City pays the utility costs for the building.

Policy Impact Area: Public facility utilization; tourism promotion

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-928

Sponsor: Council President at the request of

Date of Introduction: October 28, 2008

Committee(s) of Reference: F, RCD

Date of Analysis: October 30, 2008

Type of Action: Authorization to execute license agreement

Bill Summary: The bill authorizes the administration to execute a license agreement with the Jacksonville Track Club to utilize a portion of the property at Baker Skinner Park on Powers Avenue to reconstruct a pedestrian bridge.

Background Information: The pedestrian bridge to be reconstructed is approximately 10 feet wide by 30 feet long and will be constructed by J&D Marine Construction, Inc., a licensed contractor approved by the Public Works Department. The Jacksonville Track Club utilizes the bridge as part of a cross-country practice course in the park.

Policy Impact Area: Park improvement

Fiscal Impact: None – the Jacksonville Track Club will pay all construction costs and will maintain the bridge for 3 years after completion.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-932

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance provides \$3,100,000 in additional funding for the Drainage System Rehabilitation Project, a Better Jacksonville Plan project by reducing the approved funding for, and transferring such funding from, the PW/JEA Joint Projects to the Drainage System Rehabilitation Project, as initiated by B.T. 09-016. Provision is made to carry the funds over to Fiscal Year 2009-2010. The ordinance amends the 2008-2013 Five-Year Capital Improvement Program, approved by Ordinance 2008-555-E, for the projects entitled "PW/JEA Joint Projects" and "Drainage System Rehab."

Background: The purpose of this legislation is to transfer funding from the JEA/DPW Joint Project account to the Drainage Rehabilitation account. The Groundworks program did not use as much funding as originally anticipated. This transfer will enable the Public Works Department to utilize the funding for the Drainage System Rehab program.

Policy Impact: Public Works/Engineering Division

Fiscal Impact: This ordinance transfers \$3,100,000 from one project to another.

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-933

Sponsor: Council President at the request of the LUZ Committee

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 30, 2008

Type of Action: Comprehensive Plan text amendment

Bill Summary: The bill amends the Capital Improvements Element of the 2010 Comprehensive Plan by incorporating the updated 2008-13 Capital Improvement Element Schedule into the element, reflecting planned capital improvements to be constructed by the City, School Board and the independent authorities.

Background Information: The revised schedule reflects the adoption of the new five-year CIP in conjunction with the FY08-09 budget. The Comprehensive Plan Capital Improvements Element is comprised of several sections. The Transportation Element section includes roadway and seaport projects in short term (5 year), mid-term (6-10 year) and long-term (10-20 year) categories. The public schools plan covers 5 years and the Potable Water and Sanitary Sewer Element includes projects covering 10 years.

Policy Impact Area: Comprehensive Plan

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-938

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Grant of Easement

Bill Summary: This bill approves a Utility Easement between the City and JEA, authorizing the Mayor and Corporation Secretary to execute and deliver said document.

Background Information: This will grant JEA a utility easement at no cost to allow for the relocation of existing utilities presently located on City property and the expansion of a drainage pond near the intersection of Bunche Drive and Cleveland Road.

Policy Impact Area: Real Estate-Easements

Fiscal Impact: The easement is to be conveyed at no cost.

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-939

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Grant of Easement

Bill Summary: This bill approves a Utility Easement between the City and TECO Peoples Gas, authorizing the Mayor and Corporation Secretary to execute and deliver said document.

Background Information: This will grant TECO Peoples Gas a utility easement at no cost to allow for the relocation of existing utilities presently located on City property and the expansion of a drainage pond near the intersection of Bunche Drive and Cleveland Road.

Policy Impact Area: Real Estate-Easements

Fiscal Impact: The easement is to be conveyed at no cost.

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-940

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Agreement Authorization

Bill Summary: This bill approves a stipulation agreement among the City, Georgia Southern and Florida Railway Company, and the State of Florida Dept. of Transportation (FDOT). The Mayor, or designee, and Corporation Secretary are authorized to execute and deliver said agreement.

Background Information: The agreement is for the opening of the Chaffee Road Highway-Rail Grade Crossing for the West Lakes Development of Regional Impact. FDOT is a party to the agreement since Chaffee Road is a state road, and the crossing must be opened in conformity with FDOT standards. The City is responsible for maintenance of the roadway up to the railroad right-of-way. The crossing is to be constructed and maintained with no additional funding required from the City.

Policy Impact Area: Rail Crossings

Fiscal Impact: Undetermined; the crossing is to be constructed and maintained with no additional funding required from the City

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-941

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Right-of-Way Transfer Approval

Bill Summary: This bill approves a Notice of Right-of-Way Transfer, authorizing the Mayor and the Jacksonville Transportation Authority (JTA) to execute said document.

Background Information: This will convey a right-of-way over a portion of Merrill Road at the intersection of Merrill Road and Southside Boulevard (part of the State Road 9-A interchange) to the Florida Dept. of Transportation (FDOT) at no cost. FDOT can then take over responsibility for the right-of-way and include it in the FDOT road system.

Policy Impact Area: Streets and Highways; Jacksonville Transportation Authority

Fiscal Impact: Undetermined; transfer will move maintenance responsibility to the state road system

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-942

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Right-of-Way Transfer Approval

Bill Summary: This bill approves a Notice of Right-of-Way Transfer, authorizing the Mayor and the Jacksonville Transportation Authority (JTA) to execute said document.

Background Information: This will convey a right-of-way over a portion of Girvin Road, Mt. Pleasant Road, and McCormick Road to the State of Florida Dept. of Transportation (FDOT) at no cost. FDOT can then take over responsibility for the right-of-way and include it in the FDOT road system.

Policy Impact Area: Streets and Highways; Jacksonville Transportation Authority

Fiscal Impact: Undetermined; transfer will move maintenance responsibility to the state road system

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-943

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Agreement Approval

Bill Summary: This ordinance approves and authorizes the Mayor (or his designee) and Corporation Secretary to execute and deliver a Memorandum of Agreement between the City of Jacksonville and the Florida Department of Transportation allowing FDOT to undertake the Clark Road Access Improvement Project.

Background: Located in Council District 7, this construction project entails design, right-of-way, permits and construction work on an access road to I-95 near the Gateway Mall. FDOT is doing the construction project and the City will be reimbursing FDOT for the expenses incurred per the provisions of the Memorandum of Agreement that this legislation authorizes.

Policy Impact: Public Works/Engineering & Construction Mgmt.

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-944

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Agreement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Memorandum of Agreement between the City of Jacksonville and the Florida Department of Transportation that allows FDOT to undertake the project extending 44th Street from Norwood Avenue to Golfair Boulevard.

Background: This legislation authorizes a Memorandum of Agreement that will enable FDOT to make necessary improvements to extend 44th Street from Norwood Avenue to Golfair Boulevard. The project site is located in Council District 7.

Policy Impact: Public Works/Engineering & Construction Mgmt

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-945

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F

Date of Analysis: October 30, 2008

Type of Action: Authorization to write off tangible personal property from City inventory

Bill Summary: The bill authorizes the write-off from the City inventory of tangible personal property reported as lost or stolen for the period July 1, 2007 through June 30, 2008.

Background Information: The list encompasses 155 items with an original purchase cost of \$498,376.08 and a net remaining book value (after depreciation) of \$5,991.95.

Policy Impact Area: Inventory control

Fiscal Impact: The bill writes off a value of \$5,991.95 from the City's inventory of tangible personal property

Analyst: Clements

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Bill Type and Number: Ordinance 2008-946

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference:

Date of Analysis: October 30, 2008

Type of Action: Appropriation

Bill Summary: The bill appropriates \$430,000 from the Juvenile Justice Miscellaneous account to the SMG/ACC Championship Game Contractual Services account to meet the City's contractual obligation to the Atlantic Coast Conference to guarantee any ticket sales revenue shortfall for the 2007 ACC football championship game.

Background Information: The City's agreement with the ACC for hosting the conference football championship game included a provision that the City and the Gator Bowl Association would be contingently liable to pay the Atlantic Coast Conference up to \$1,250,000 should ticket sales for the championship game fail to meet the guaranteed minimum, with the GBA being responsible for the first \$500,000 of any shortfall and the City assuming responsibility for the next \$750,000. The first \$250,000 of the City's responsibility would be appropriated from Tourist Development Council funds, and the remaining \$500,000 from the City operating budget.

Ticket sales for the 2007 game resulted in a deficit of \$719,146.25 from the guaranteed minimum. The Gator Bowl Association has negotiated with the ACC to accept an alternative payment of \$430,000 to settle the City/GBA liability. The Juvenile Justice Miscellaneous account was chosen to fund the payment because the fund had a sufficient fund balance at the end of FY07-08 to allow the payment to be made from the budget of the fiscal year within which the liability was incurred. The Juvenile Justice Miscellaneous account is used to pay the state for housing of City juvenile offenders in state facilities, and the state billed the City for less than the budgeted amount in the account during the last fiscal year.

Policy Impact Area: Sports/tourism promotion

Fiscal Impact: The bill appropriates \$430,000 in fund balance from the FY07-08 Juvenile Justice Miscellaneous account

Analyst: Clements

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Bill Type and Number: Ordinance 2008-947

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: October 30, 2008

Type of Action: Appropriation/Position Authorization

Bill Summary: This bill appropriates \$73,197 (\$21,119 from a Florida Division of Emergency Management continuation grant and \$52,078 from a Reserve for Federal Programs account) to provide funding under the 2008-2009 Hazardous Analysis Agreement to pay an Emergency Preparedness Senior Planner for the period July 1, 2008, through June 30, 2009, to complete the work outlined in said agreement. Authorization for the position is given.

Background Information: The Emergency Planning and Community Right-to-Know Act (EPCRA) encourages public access to information about potential chemical hazards that may exist in communities. Each year, the Florida Division of Emergency Management assists local communities in complying with EPCRA requirements.

Policy Impact Area: Emergency Preparedness; Hazardous Materials

Fiscal Impact: Undetermined; \$73,197 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-948

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 31, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$10,699 in Community Development Block Grant program income recaptured from the sale of the renovated houses at 635 Sailfish Drive East (\$7,056) and 45 Lewis Street (\$3,613) to the City of Atlantic Beach to provide funding for septic tank to sewer conversion (Utility Tap-In Program) at Atlantic Beach, as initiated by B.T. 09-007; provision is made to carryover the funds to Fiscal Year 2009-2010.

Background: Federal regulations stipulate that income generated by CDBG programs be recaptured or directed back to the City and re-allocated to other programs. The City of Atlantic Beach derived a profit from the sale of homes that were renovated with CDBG funds. The recaptured funds (from the renovation and sale of two homes) are being appropriated by this ordinance to the septic tank conversion program in Atlantic Beach.

Policy Impact: Housing and Neighborhood Department/Community Division

Fiscal Impact: This bill appropriates \$10,699

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-949

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: October 30, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$50,637 from the United States Dept. of Homeland Security through the Florida Division of Emergency Management for the Emergency Management Performance Grant Program.

Background Information: The appropriation is to provide for the resources needed to meet the requirements of the State-approved 2007-2008 Emergency Management Five-Year Strategic Plan outlined in the Emergency Management Preparedness and Assistance base grant program. A copy of the Federally-Funded Subgrant Agreement is on file, and the bill notes that the Mayor is authorized to sign such contracts pursuant to the Ordinance Code.

Policy Impact Area: Emergency Preparedness

Fiscal Impact: Undetermined; \$50,637 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-950

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates, at the request of the Florida Department of Environmental Protection, the existing Gasoline Storage Tank Inspection Fund Balance of \$87,354 into the Fiscal Year 2009 Operating Account for the Gasoline Storage Tank Inspection Program administered by the Environmental Quality Division of the Environmental & Compliance Department, for the grant period from July 1, 2008 to June 30, 2009, so as to increase funds available for program expenses and miscellaneous services and products, as initiated by B.T. 09-010; the ordinance provides for the carryover of the funds to Fiscal Year 2009-2010.

Background: This ordinance appropriates the Gasoline Storage Tank Inspection Fund Balance in the Gasoline Storage Tank Inspection's operating account for Fiscal Year 2009, per the request of Florida's DEP, to increase spendable dollars to cover program expenses and to pay for miscellaneous service and products. The inspection program is 100% State-funded and funds the inspection of above and below ground storage petroleum and chemical storage tanks. The State contracts with the Environmental Quality Division for the annual inspections on an annual basis.

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

Fiscal Impact: This ordinance appropriates \$87,354

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-951

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Appropriation; Hours Approval

Bill Summary: This ordinance transfers \$9,000 in previously budgeted funds from the Environmental and Compliance Department's Code Enforcement Other Operating Supplies Account to its Code Enforcement Salaries Part-Time account to fund the part-time salary of a Code Enforcement specialist Training Employee on current law and the Historic Preservation Code, as initiated by B. T. 09-013. The ordinance approves temporary hours, as initiated by R. C. 09-031.

Background: This budget transfer is to fund salaries for an Environmental & Compliance Department's part-time employee for Fiscal Year 2008-2009. Money was previously budgeted in other operating supplies and should have been budgeted in part-time salary sub-object. No additional funds are required.

Policy Impact: Environmental & Compliance Department/Municipal Code Compliance

Fiscal Impact: This ordinance transfers (appropriates) \$9,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-952

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 30, 2008

Type of Action: Appropriation/Hours Authorization

Bill Summary: This bill appropriates \$50,000 to transfer funds previously budgeted for Miscellaneous Services and Postage to an Environmental and Compliance/Animal Care and Control Salaries Part Time account. Authorization is given for temporary hours.

Background Information: The appropriation will fund salaries for part-time employees in the pet licensing program at the Animal Care and Control facility. Information on file states that money was budgeted in other services and charges, but should have been budgeted in the part-time salary sub-object, and that no additional funds are required.

Policy Impact Area: Animal Care and Control

Fiscal Impact: Undetermined; \$50,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-953

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: October 31, 2008

Type of Action: Appropriation; CIP Amendment; Agreement Authorization

Bill Summary: This ordinance appropriates \$100,000 in grant funds received from the Florida Department of Environmental Protection to provide additional funding for the Lower Eastside Drainage Improvements –Phase III Project, as initiated by B.T. 09-015. The ordinance provides that the funds carryover to Fiscal Year 2009-2010. The ordinance amends the 2008-2013 Five-Year Capital Improvement Program, approved by Ordinance 2008-555-E, to increase the budget for the project entitled “Lower Eastside Drainage Imp. Phase III; and approves and authorizes the Mayor and Corporation Secretary to execute the State Financial Assistance Agreement and take further action to implement the purpose of this ordinance.

Background: This project is intended to reduce existing street flooding, upgrade existing drainage collection system, convey runoff from 229 acres of previously untreated residential drainage area to a previously constructed regional detention pond located east of the Haines Street Expressway, reduce infiltrations from broken sanitary sewer lines by having JEA replace/upgrade the existing sewer lines and reconstruct neighborhood roadways. This project ultimately provides water quality improvements into the Lower St. Johns River. The previously constructed detention pond reduces total nitrogen by 30%. The State Financial Assistance Agreement approved by this ordinance stipulates that the City is eligible for \$100,000 on a cost reimbursement basis toward the total project cost estimate of \$3,600,000. *Reference is made to a City minimum match of \$100,000 toward the project though there is no reference to a match in the ordinance.* The project site is located in Council District 7.

Policy Impact: Public Works/Engineering & Construction Mgmt

Fiscal Impact: This ordinance appropriates \$100,000 in a State of Florida FEP grant.

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-954

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 31, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates and transfers \$694,755 (\$379,253 in prior years' Home Multi-Family funds and \$305,502 in prior years' State Housing Initiative Partnership ("SHIP") unallocated funds) to the Headstart to Homeownership Program in order to provide downpayment assistance to a minimum of 45 low to moderate income households, as initiated by B.T. 09-018. The ordinance provides for a carryover of funds to Fiscal Year 2009-2010 and authorizes the Mayor and Corporation Secretary to execute documents and to take further action to implement the purpose of this ordinance.

Background: SHIP funds are monies remanded to local communities from the State of Florida to provide funding assistance for affordable housing programs. The Headstart to Homeownership program offers financial assistance to eligible families/individuals who are interested in purchasing a home but lack the finances for a downpayment, closing costs or other expenses. The program is funded through the HOME Investment Partnership Program, a federal grant awarded to the City for the purpose of developing programs that expand the availability of decent, affordable housing for low income families and individuals.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division/ HOME & SHIP Programs

Fiscal Impact: This ordinance appropriates \$684,755

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-955

Sponsor: Council President at the Request of the Mayor:

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: October 31, 2008

Type of Action: Appropriation; Hours Approval

Bill Summary: This ordinance appropriates \$20,260 from the Courts Innovations/Judicial Support Miscellaneous Services and Charges account to provide funding to cover 2,200 part-time hours for court employees assisting judges and providing other services deemed necessary to the Judiciary, as initiated by B.T. 09-019; the ordinance approves temporary hours, as initiated by R. C. 09-053.

Background: This ordinance approves hours and compensation for temporary part-time floaters to assist judges in the absence of their Judicial Assistant. Cuts in the State of Florida's budget eliminated OPS (other personnel services) funding for part-time floaters. The pay range for the part-time employees range from \$8.50 to \$10.00 per hour.

Policy Impact: Judiciary

Fiscal Impact: This ordinance appropriates \$20,260

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-956

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: October 30, 2008

Type of Action: Authorization to execute funding contract

Bill Summary: The bill authorizes the City to execute a contract with the Florida Department of Agriculture and Consumer Services to receive state matching funds for mosquito control activities in the amount of \$35,000.

Background Information: This bill authorizes the annual renewal of an on-going contract between the City and Florida Department of Agriculture and Consumer Services for the City to operate a state-approved mosquito control program with state financial assistance. The state funding is used primarily for purchase of chemicals.

Policy Impact Area: Mosquito control

Fiscal Impact: The bill authorizes a grant contract that will provide \$35,000 in state funding.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-957

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

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

Date of Analysis: October 30, 2008

Type of Action: Authorization to execute access and use agreement; emergency action requested

Bill Summary: The bill authorizes the City to execute a contract with the Florida Department of Environmental Protection for the City to operate an environmental monitoring station at the Yellow Water Creek Trail Head Park for a period of 2 years with additional 1-year renewal options. FDEP requests emergency action on the bill to enable the agency to begin installing the monitoring equipment by mid-November to assist the agency in meeting a federal deadline of September 2012 for submission of a mercury TMDL plan which will require 2 years of monitoring

Background Information: The bill authorizes the FDEP to install monitoring equipment on the City's property located on Yellow Water Road at the trail head site just east of the Town of Baldwin. FDEP will fence a 100x100 foot plot of open ground within which it will erect a small (8x20 foot) 2-story building and two 10-meter towers holding meteorological and sampling equipment. The sampling site will be one of four in the state (along with stations in the Pensacola, Tampa Bay and Ft. Lauderdale areas) to study how mercury is transported in the atmosphere and deposited onto the ground and into water bodies.

Policy Impact Area: Environmental monitoring

Fiscal Impact: None

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-958

Sponsor: Council Member Davis

Date of Introduction: October 28, 2008

Committee(s) of Reference: R, PHS

Date of Analysis: October 30, 2008

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 116 – Employees and Employee Benefits – to clarify certain provisions relating to the entitlement of a person who has served 20 or more years as a an auxiliary police officer to take his or her badges, hat and service revolver upon retirement from service. The amendments provide that the retiring auxiliary officer is entitled to the items only if the Sheriff certifies that the officer is leaving in good standing; provides that a surviving spouse or the oldest surviving lineal descendent of an auxiliary officer is eligible to receive the items if the officer dies while still in auxiliary service, and provides that the items are subject to a perpetual responsibility and obligation to be properly used and displayed and are subject to forfeiture to the Sheriff's Office if improperly displayed or used.

Background Information: The new language in this section relating to the personal effects of auxiliary police officers is directly copied from provisions applying to the disposition of the personal effects of a sworn JSO officer and give the Sheriff the authority to require the return of the badges, hat and sidearm if they are improperly used.

Policy Impact Area: Personal effects of former auxiliary law enforcement officers

Fiscal Impact: None

Analyst: Clements

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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-959

Sponsor: Council Member Yarborough

Date of Introduction: October 28, 2008

Committee(s) of Reference: TEU

Date of Analysis: October 30, 2008

Type of Action: Amendment to street naming and addressing policy

Bill Summary: The bill amends the City's street naming and addressing policy required by Ordinance Code Chapter 745 – Addressing and Street Naming Regulations – to provide that a property may be exempted from the requirement to change addresses to conform to the General Addressing Guidelines if the 911 Addressing Committee finds that City emergency services have been called to the location in the past and were able to successfully locate the property.

Background Information: The new exemption applies specifically to the designation of odd and even numbers along the entire length of a street. The only other exemption from the uniform odd/even requirement is where a street crosses a county line, in which case a switch of the odd and even numbers to opposite sides of the street is permitted.

Policy Impact Area: Public safety

Fiscal Impact: None

Analyst: Clements

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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-960

Sponsor: Council Member Bishop

Date of Introduction: October 28, 2008

Committee(s) of Reference:

Date of Analysis: October 30, 2008

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

Bill Summary: The bill expresses the City's support for proposed legislative bill J-4 that would amend the City Charter Article 5 – The Council – to add a provision making the ordinances of the City of Jacksonville binding upon the consolidated government and its independent agencies (to the extent that such ordinances are not preempted by state or federal law), and to prohibit any City independent agency from expending any funds in violation of any City ordinance, or expending more than \$10,000 without City Council approval in the pursuit of relief from any such ordinance.

Background Information:

Policy Impact Area: Application of City ordinances

Fiscal Impact: Undetermined

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-964

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: R

Date of Analysis: October 23, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Helen C. Rowan as a member of the Jacksonville Economic Development Commission (JEDC), replacing Joseph Barrow, Jr., for an unexpired term ending June 30, 2009.

Background Information: §24.03, *Jacksonville Charter, Part A*, provides that the nine members of the JEDC shall be residents appointed by the Mayor and confirmed by Council. Ms. Rowan received a master's degree in business administration from the Amos Tuck School of Business at Dartmouth College and is the Vice President, Strategic Planning at *Rayonier, Inc.* She resides in the Monclair area within Council District #5.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-965

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: R

Date of Analysis: October 23, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Herschel T. Vinyard as a member of the Jacksonville Port Authority, replacing Tony Nelson, for an unexpired term ending September 30, 2009.

Background Information: §5.01(2), *Jacksonville Charter, Part B*, provides that four of the members of the Jacksonville Port Authority shall be appointed by the Mayor with the confirmation of the Council. Mr. Vinyard received a law degree from Louisiana State University and is a Vice President with *Atlantic Marine Holding Company*. He currently serves on the Jacksonville Economic Development Commission. Mr. Vinyard resides in the Ortega area within Council District #14.

Policy Impact Area: Jacksonville Port Authority Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-966

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 30, 2008

Type of Action: Agreement Approval

Bill Summary: This bill approves an agreement between the Housing and Neighborhoods Dept. and the Northeast Florida Community Action Agency (NEFCAA) to provide \$300,000 in previously appropriated funding as supplemental funding for NEFCAA's Owner-occupied Rehabilitation Program. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute the agreement. Provision is made for the carryover of funds into the 2009-2010 fiscal year.

Background Information: Information on file states that this appropriation will provide funding targeted at reducing the incidence of foreclosure among qualified homeowners in Duval County. The project was funded at 37.5% in conjunction with the 2008 Universal Funding Cycle, and almost 100% of those funds has been expended. Customers are in place for the proposed supplemental funding and appropriations currently exist to cover the expenditure. The Jacksonville Housing Commission approved the funding request at its regular meeting of September 17, 2008.

Policy Impact Area: Housing and Neighborhoods

Fiscal Impact: Undetermined; the agreement provides \$300,000 in previously appropriated funding as supplemental funding for the program

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-967

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 30, 2008

Type of Action: Agreement Approval

Bill Summary: This bill approves a loan agreement between the Housing and Neighborhoods Dept. and the Children's Home Society, making \$741,365 in funding previously appropriated to the State Housing Initiative Partnership (SHIP) Multi-family Program available to serve the needs of teenage girls from the foster care system with children and of women on welfare. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute the agreement. Provision is made for the carryover of funds into the 2009-2010 fiscal year.

Background Information: Information on file states that appropriations currently exist to cover the expenditure and that no additional funding is being appropriated. The Jacksonville Housing Commission approved the loan request at its regular meeting of September 19, 2008.

Policy Impact Area: Housing and Neighborhoods

Fiscal Impact: Undetermined; \$741,365 in previously appropriated funding is being made available

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-968

Sponsor: Council President at the Request of the Mayor

Date of Introduction: October 28, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: October 30, 2008

Type of Action: Loan Agreements Restructuring Authorization

Bill Summary: This bill authorizes the Mayor, or designee, and Corporation Secretary to execute all necessary documents to effectuate the restructuring of 2 loan agreements (a State Housing Initiative Partnership ("SHIP") loan agreement in the principal amount of \$251,774.84 and a HOME loan agreement in the principal amount of \$441,000) between the City and Community Connections of Jacksonville. This restructuring was approved by the Jacksonville Housing Commission at its regular meeting of May 21, 2008.

Background Information: Each loan is to be recharacterized as interest free, with extension of due dates by 15 years and forgiveness of each loan at a rate of 1/15 of the outstanding principal balance for each year that Community Connections continues to provide housing and services to low-income residents. Information on file states that the proposed changes will be part of a restructuring plan for the agency's debt in conjunction with the State of Florida.

Policy Impact Area: Housing and Neighborhoods

Fiscal Impact: Undetermined; debt is restructured with no additional funding provided, but with affordability periods extended

Analyst: Campbell

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LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-969

Sponsor: Council President Fussell

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 30, 2008

Type of Action: Ordinance Code Amendment

Bill Summary: This bill was not available in the Legislative Services Division for review.

Policy Impact Area: Planning and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-970

Sponsor: Council President at the request of the LUZ Committee

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 30, 2008

Type of Action: Comprehensive Plan text amendment

Bill Summary: The bill amends the text of the Conservation/Coastal Management Element of the 2010 Comprehensive Plan to incorporate the Jacksonville Port Authority's Jaxport Master Plan into the Comprehensive Plan. The Jaxport Master Plan amendment incorporates 6 goals, 13 objectives and 39 policies into the Element, which cover areas such as planning for and public information about port facilities; identification and reservation of areas for future port development; public investment in port facilities and infrastructure, including identification of additional financing mechanisms; development and maintenance of navigation channels including disposal of dredge spoils; environmental protection; and port expansion planning and permitting.

Background Information: The amendment incorporates the Jaxport Master Plan into the Conservation/Coastal Management Element of the Comp Plan at the urging of the Florida Department of Community Affairs. The existing Conservation/Coastal Management Element contains goals objectives and policies relating to Jaxport but the proposed amendment adopts an updated, more specific master plan reflecting the recent developments in Jaxport's operations and facilities including new terminals, new shipping lines, the arrival of the cruise line industry, etc.

Policy Impact Area: Comprehensive planning

Fiscal Impact: None

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-971

Sponsor: Land Use and Zoning Committee

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 30, 2008

Type of Action: Consideration of Appeal

Bill Summary: This bill states that the Council has reviewed the record of proceedings regarding Zoning Exception E-08-51, and has considered the recommended findings and conclusions of the Land Use and Zoning Committee. These findings and conclusions are adopted and are to become effective immediately, with the resolution being the final action of the Council.

Background Information: The property for which the exception was sought is located at 2044 North Davis Street. Omega Brooks, as agent for property owner Leonard Davis, applied for a zoning exception requesting an assisted living facility with 14 beds and 2 employees in the Residential Medium Density-B (RMD-B) Zoning District. The Planning and Development Dept. recommended denial, and the Planning Commission denied the exception by Final Order dated August 28, 2008. Ms. Brooks filed the Notice of Appeal.

Policy Impact Area: Planning and Development; Zoning Exceptions; Appeals

Fiscal Impact: Undetermined

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-972

Sponsor: Land Use & Zoning Committee:

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 31, 2008

Type of Action: Development Agreement Approval

Bill Summary: This ordinance approves a Development Agreement between the City of Jacksonville and A & J Properties of Jax, LLC, concerning a development (CCAS NOS. 45670.1, 49063.1 & 51088) known as "Highway Avenue Industrial Center," consisting of approximately 3.77± acres located in Council District 9, on the south side of Highway Avenue between Lane Avenue South and Cynthia Street (R.E. No. 005352-0100), for 59,800 enclosed square feet of industrial use, subject to a performance schedule and the payment of annual renewal fee for the purpose of reserving traffic circulation capacity, pursuant to Part 2, Chapter 655, *Ordinance Code*.

Background: Because this development of a project involved multiple phases and will occur over an extended period of time, a Development Agreement between the City and developer is required in order to maintain a reservation of traffic circulation facility capacity through the project build-out. The Planning & Development Department recommends approval of the Development Agreement.

Policy Impact: Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Jackson

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LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-973

Sponsor: Land Use and Zoning Committee:

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 31, 2008

Type of Action: Development Agreement Approval

Bill Summary: This ordinance approves a Development Agreement between the City of Jacksonville and Albert Hugo Associates, Inc. concerning a development (CCAS No. 50363) known as "Hugo Furniture Store Addition", consisting of approximately 9.72± acres located in Council District 9 at 3061 Philips Highway (R.E. Nos. 130410-0000, 130419-0100, & 130419-0200), for 30,000 enclosed square feet of warehousing use, subject to a performance schedule and the payment of annual renewal fee for the purpose of reserving traffic circulation capacity, pursuant to Part 2, Chapter 655, *Ordinance Code*.

Background: Because this development of a project involves multiple phases and will occur over an extended period of time, a Development Agreement between the City and the developer is required in order to maintain a reservation of traffic circulation facility capacity through the project build-out. The Planning & Development Department recommends approval of the Development Agreement.

Policy Impact: Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-974

Sponsor: Land Use and Zoning Committee:

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 31, 2008

Type of Action: Development Agreement Approval

Bill Summary: This ordinance approves a Development Agreement between the City of Jacksonville and Brian Schuman et al, concerning a development (CCAS No. 41900) known as "Ballard Oaks", consisting of approximately 8.19± acres located in Council District 5, at the terminus of Ballard Oaks Road, East of St. Augustine Road (R.E. Nos. 152617-0010 & 152626-0000), for 90,000 enclosed square feet of warehousing 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: Because this development of a project involves multiple phases and will occur over an extended period of time, a Development Agreement between the City and the developer is required in order to maintain a reservation of traffic circulation facility capacity through the project build-out. The Planning & Development Department recommends approval of the Development Agreement.

Policy Impact: Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Jackson

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LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-975

Sponsor: Land Use and Zoning Committee:

Date of Introduction: October 28, 2008

Committee(s) of Reference: LUZ

Date of Analysis: October 31, 2008

Type of Action: Development Agreement Approval

Bill Summary: This ordinance approves a Development Agreement between the City of Jacksonville and the Diocese of Saint Augustine, concerning a development (CCAS No. 51034) known as "Bayard Commercial Complex", consisting of approximately 37.61± acres located in Council District 13, on the east side of Philips Highway, south of Gran Bay Parkway (R.E. No. 168128-0000), for 350,000 enclosed square feet of commercial 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: Because this development of a project involves multiple phases and will occur over an extended period of time, a Development Agreement between the City and developer is required in order to maintain a reservation of traffic circulation facility capacity through the project build-out. The Planning & Development Department recommends approval of the Development Agreement.

Policy Impact: Planning & Development Department

Fiscal Impact: Undetermined

Analyst: Jackson

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LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2008-976

Sponsor: Council Member Hyde

Date of Introduction: October 28, 2008

Committee(s) of Reference: F, R

Date of Analysis: October 30, 2008

Type of Action: Ordinance Code amendment; emergency enactment request

Bill Summary: The bill amends Ordinance Code Chapter 118 – Public Service Grants – to revise various provisions and procedures regarding the Cultural Services Grant process. The amendment inserts language providing that Cultural Services Grant Capital Program funds shall be allocated in a lump sum to the Cultural Council on the first day of the fiscal year or as soon thereafter as is practical after the execution of the annual contract. Non-capital cultural grant funds shall be disbursed in equal quarterly shares on the first day of each fiscal quarter or as soon thereafter as is practical, and quarterly fiscal and programmatic reports on the use of the funds from the Cultural Council shall be due to the Recreation and Community Services Department within 30 days of the end of each quarter. City funding may be withheld for future quarters if a required quarterly report is not received in a timely manner.

Emergency approval is requested in order to make the revised policies applicable to the new fiscal year's cultural grant funding that became available on October 1st.

Background Information: The current procedure is worded so as to effectively require cultural groups to be reimbursed by City funds for expenses already incurred in producing cultural events upon the submission of a report specifying the expenditures made in the previous fiscal quarter that are eligible for reimbursement according to the organization's Cultural Services Grant application. In practice, many grant recipients do not have a sufficient budget to be able to produce events and then request reimbursement at a later time. Without access to Cultural Services Grant funds up-front, some grant-eligible productions may not be financially feasible.

Policy Impact Area: Cultural Services Grant administration

Fiscal Impact: Undetermined

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-977

Sponsor: Council President at the request of the Police and Fire Pension Board of Trustees

Date of Introduction: October 28, 2008

Committee(s) of Reference: R

Date of Analysis: October 23, 2008

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Nathaniel Glover, Jr., to the Jacksonville Police and Fire Pension Fund Board of Trustees, for a second two-year term ending October 15, 2010.

Background Information: Sections 175.061 and 185.05, *Florida Statutes*, provide that one of the members of the Police and Fire Pension Board shall be chosen by a majority of the other members of the Board and as a ministerial act, appointed by Council. Former Sheriff Glover is retired from the Jacksonville Sheriff's Office (JSO). During his employment with the JSO, he served as Chief of Police Services, Deputy Director of Police Services and Director of Police Services. He was elected Sheriff in 1995 and served two terms. Former Sheriff Glover also serves on the Jacksonville Children's Zone Committee and previously served on the Jacksonville Commission on Family and Marriage and the Jacksonville Journey Steering Committee.

Policy Impact Area: Jacksonville Police & Fire Pension Fund Board of Trustees operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2008-978

Sponsor: Council President Fussell

Date of Introduction: October 28, 2008

Committee(s) of Reference: R

Date of Analysis: October 23, 2008

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's reappointment of M.G. Orender, as a member of the Comcast Settlement Community Panel, for a third one-year term ending December 31, 2009.

Background Information: Resolution 2003-186-A, approved February 25, 2003, authorized a settlement between the City and *Comcast of Greater Florida/Georgia, Inc.* The settlement agreement provided for Comcast to make annual payments of \$150,000 over a period of 10-years. Grants from the settlement payments are to be awarded by a community panel comprised of five members, of which one member is to be appointed by the Council President and ratified by the Council.

Mr. Orender is the President of Hampton Golf, Inc. and resides in Jacksonville Beach within Council District #13.

Policy Impact Area: Comcast Community Settlement Panel operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh