

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 2014-640

Introducer/Sponsor(s): Finance Committee

Date of Introduction: September 23, 2014

Committee(s) of Reference: None – emergency action requested

Date of Analysis: September 25, 2014

Type of Action: Authorization to pursue appeal process

Bill Summary: The bill authorizes the Office of General Counsel to appeal a proposed reduction of the Property Appraiser's budget to the Florida Administration Commission (consisting of the Governor and Cabinet) for resolution. The bill requests emergency passage on first reading in order to meet the deadline to file the appeal which occurs before the first City Council meeting in October.

NOTE: See companion bill 2014-641 for OGC authorization to hire outside counsel to represent the Property Appraiser in the appeal process.

Background Information: As both a city official under the consolidated city charter and a state constitutional officer, the budget of the Property Appraiser must be approved by both the City Council and the Florida Department of Revenue (DOR), to whom the Property Appraiser has a reporting relationship. The DOR approved the Property Appraiser's original requested budget in the amount of \$9,784,886; Mayor Brown recommended a budget to the Council of \$9,681,317; the Finance Committee recommended a budget to the Council of \$9,488,096. State law provides that the funding county may appeal the Property Appraiser's budget to the Florida Administration Commission in the event of a disagreement over the local funding level. The deadline for filing the appeal is 14 days following the public hearing on the budget (October 8th, following the September 23rd public hearing).

Policy Impact Area: Property Appraiser's Office budget

Fiscal Impact: The Property Appraiser's budget as currently pending before City Council is \$296,790 less than the budget approved by the DOR.

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 2014-641

Introducer/Sponsor(s): Finance Committee

Date of Introduction: September 23, 2014

Committee(s) of Reference: None – emergency action requested

Date of Analysis: September 25, 2014

Type of Action: Authorization to employ outside legal counsel; authorizing fiscal year fund carry-over; fund reverter; requesting emergency action

Bill Summary: The bill authorizes the Office of General Counsel to employ outside legal counsel to represent the Property Appraiser in an appeal process to the Florida Administration Commission of the Appraiser's FY14-15 budget initiated by the City. The bill authorizes the use of up to \$100,000 in Office of General Counsel retained earnings to be carried over from FY14-14 to FY14-15 to pay the expenses of the outside counsel and provides for reversion of any unused funds to the source account. The bill requests emergency passage on first reading in order to meet the deadline to file the appeal which occurs before the first City Council meeting in October.

NOTE: See companion bill 2014-640 regarding authorization for the General Counsel to appeal the Property Appraiser's budget to the Florida Administration Commission.

Background Information: As both a city official under the consolidated city charter and a state constitutional officer, the budget of the Property Appraiser must be approved by both the City Council and the Florida Department of Revenue (DOR), to whom the Property Appraiser has a reporting relationship. The DOR approved the Property Appraiser's original requested budget in the amount of \$9,784,886; Mayor Brown recommended a budget to the Council of \$9,681,317; the Finance Committee recommended a budget to the Council of \$9,488,096. State law provides that the funding county may appeal the Property Appraiser's budget to the Florida Administration Commission in the event of a disagreement over the local funding level. The deadline for filing the appeal is 14 days following the public hearing on the budget (October 8th, following the September 23rd public hearing). As the Office of General Counsel provides legal representation to all agencies and officials of the City government, it would be a conflict of interest for the OGC to represent both the City and the Property Appraiser in this proceeding.

Policy Impact Area: Property Appraiser budget; use of outside counsel

Fiscal Impact: The bill authorizes expenditure of up to \$100,000 from the General Counsel's retained earnings account for the hiring, with any unused funds reverting to that account.

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 2014-0642

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

Date of Introduction: September 22, 2014

Committee(s) of Reference: F, RCDPHS

Date of Analysis: September 19, 2014

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$700,000 to provide funding for the first year of a five-year 21st Century Community Learning Center (CCLC) grant from the Florida Department of Education for afterschool programs at Jacksonville Heights, Ramona, and Windy Hill Elementary Schools from September 1, 2014, through August 30, 2015; and providing a carryover of funds into fiscal year 2014-2015.

Background Information: The afterschool programs will serve a minimum of 300 children over a five-year period for the three elementary schools listed at no cost to the City in the first year of the grant. A cash match of up to twenty percent (20%) will be provided in subsequent years. The appropriation is initiated by B.T. 14-098.

Policy Impact Area: Jacksonville Children's Commission

Fiscal Impact: The appropriation of \$700,000

Analyst: Mitchell

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 2014-0643

Introducer/Sponsor(s): Council Member Gulliford:

Date of Introduction: September 22, 2014

Committee(s) of Reference: F, RCDPHS

Date of Analysis: September 19, 2014

Type of Action: Approve and Authorize

Bill Summary: This ordinance approves and authorizes the Mayor or his designee, and the Corporation Secretary to enter into that certain lease agreement between TREM Properties, LLP, (“landlord”) and City of Jacksonville (“tenant”) for a dental clinic to be used by the Duval County Health Department, located at 2344 South Third Street, Jacksonville Beach, Duval County, Florida 32250.

Background Information: The lease agreement shall include simultaneous assignment and assumption of the lease between City of Jacksonville (“assignor”) and Florida Department of Health (“assignee”). The lease is for a term of three years at a monthly basic rental rate of \$8,057.99. The lease responsibilities, including the responsibility to pay rent, will be performed by Assignee.

Policy Impact Area: Lease Agreements

Fiscal Impact: The monthly rental rate of \$8,057.99 for three years.

Analyst: Mitchell

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 2014-644

Sponsor: Council Member Gulliford:

Date of Introduction: September 23, 2014

Committee(s) of Reference: F; RCDPHS

Date of Analysis: September 26, 2014

Type of Action: Ordinance Code Amendment

Bill Summary: The ordinance regards the JEA Greenland Road Power Plant Parks Contribution as approved by Ordinance 2011-555-E to revise the scope or permissible uses of the funds to include other park amenities, to modify the reverter date and to expand the carryover of funds from year to year.

Background Information: Ordinance 2011-555-E appropriated \$1,000,000 to construct and install baseball fields, batting cages and other recreational amenities at 9A/Baymeadows Regional Park. This ordinance adds additional amenities to the scope of permissible uses of the fund including picnic pavilions, tennis pro shop, tennis courts, entry wall signage and any additional amenities. The initial legislation stipulated that the funds were to carryover to Fiscal Year 2011-2012; this legislation would expand the carryover of funds from year to year. The initial legislation's reverter date for unused funds was September 30, 2012; this, amended legislation, stipulates that the reverter date is to be September 30, 2020.

Policy Impact: Parks, Recreation and Community Services/Ordinance Code

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 2014-650

Sponsor: Council President at the request of the Mayor:

Date of Introduction: September 23, 2014

Committee(s) of Reference: TEU

Date of Analysis: September 26, 2014

Type of Action: Road Closure

Bill Summary: The ordinance closes, abandons, and/or disclaims a portion of Ridgewood Road, a 40 foot platted, opened, and improved right-of-way in St. Nicholas Park Shopping Center, as established in Plat Book 17, Page 59 of the public records of Duval County, in Council District 4, at the request of Scott C. Miller et al. (the "applicant"), subject to reservation unto the City of Jacksonville and JEA of easements over the closed portion of the right-of-way for ingress and egress and for all utilities.

Background Information: The closure is requested to allow applicant to expand its commercial property. This request was sent to various state, municipal, and utility agencies which might have an interest in the matter and there were no objections. The Florida Department of Transportation has approved the new intersection layout at Beach Boulevard. Applicant will apply for and receive a permit from FDOT to change the intersection. The remaining half of the right-of-way will remain open to provide access to the intersecting alleyway.

Policy Impact: The applicant has paid a \$1,500.00 closure application processing fee.

Fiscal Impact: Public Works/Real Estate

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 2014-0651

Introducer/Sponsor(s): Council Member Carter:

Date of Introduction: September 22, 2014

Committee(s) of Reference: R, F

Date of Analysis: September 19, 2014

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$317,461.35 to fund the special election for the State House District 13 Office, for a primary and general election; recognizes that the City will pursue State reimbursements; provides for a reversion of unused funds to the general fund; and requires approval of two-thirds of the Council members present, pursuant to 106.215(b), *Ordinance Code*.

Background Information: The Governor ordered a special election as a result of vacancy in State House District 13 Office. The total appropriation includes \$100,000.00 from designated contingency for the Supervisor of Elections; and \$217,461.35 from the General Fund/General Service District Fund Balance. The Supervisor of Elections will pursue reimbursement from the State following the elections. The reimbursement will be considered by the Legislature in the 2015 State Legislative Session. All repayments and any other savings achieved in the election process shall revert to the General Fund.

Policy Impact Area: Supervisor of Elections

Fiscal Impact: The appropriation of \$317,461.35 to Supervisor of Elections.

Analyst: Mitchell

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 2014-652

Sponsor: Council Member Lee:

Date of Introduction: September 23, 2014

Committee(s) of Reference: R

Date of Analysis: September 26, 2014

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance renames Hemming Plaza in downtown as “Hemming Park”; it amends Section 250.516 (Rules and Regulations) and Section 667.110 (Designated and Authorized Locations), *Ordinance Code*, to reflect the change to Hemming Park.

Background Information: The Hart family (whose patriarch founded Jacksonville) deeded the land that became Hemming Plaza to the City in 1861 for use as a “public park.” In 1977, the City renovated the park converting it into a concrete and brick-paved square and changed the name to Hemming Plaza. In an effort to rejuvenate Hemming Plaza and transform it into an attraction for families, tourists and downtown workers, the City recently entered into an agreement with the Friends of Hemming Park; to encourage its use as an area for passive recreation, events, and events for the public, the Friends of Hemming Plaza desire to return the name from Hemming Plaza to Hemming Park.

Policy Impact: Hemming Plaza/Downtown Rejuvenation/Ordinance Code

Fiscal Impact: Minimal

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: Resolution 2014-653

Introducer/Sponsor(s): Council Member Schellenberg

Date of Introduction: September 23, 2014

Committee(s) of Reference:

Date of Analysis: September 25, 2014

Type of Action: Petition to Mayor and General Counsel

Bill Summary: The bill urges the Mayor and General Counsel to pursue to completion on its merits the pending lawsuit (*Randall Wyse, et. al. vs. City of Jacksonville, et. al.*) that could determine the legal validity of the so-called "thirty year agreement" between the City and the Police and Fire Pension Fund (PFPF), and thereby may determine the appropriate entity with whom the City be bargaining over possible changes to the pension benefits offered by the Police and Fire Pension Fund.

Background Information: In 1991, in order to settle on-going disputes over several aspects of the operation of the Police and Fire Pension Fund, the City Council and the PFPF board of trustees entered into an agreement that established various standards for the plan and obligations of the parties with regard to funding and management of the PFPF. The agreement has been amended several times including 2000, 2003 and 2006. In late 2012 the Council authorized the General Counsel to commence litigation to determine the legal validity of the establishment of the Jacksonville Police and Fire Pension Fund Senior Staff Voluntary Retirement Plan. Before that litigation could be filed, the City was sued by Randy Wyse, President of the Jacksonville Association Fire Fighters, et. al. to determine the enforceability of the agreement and prevent the City from changing PFPF benefits without obtaining agreement of the changes with the PFPF Board. The police and firefighter unions contend that the agreement creates an obligation for the City to negotiate benefits only with the PFPF board, leaving the unions to be only beneficiaries of any resulting agreement; the City disagrees and seeks to negotiate directly with the unions. The parties have been in settlement talks since 2013 over various provisions of the agreement.

Policy Impact Area: Police and Fire Pension Fund operations

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 2014-654

Sponsor: Council President Yarborough

Date of Introduction: September 23, 2014

Committee(s) of Reference: R

Date of Analysis: September 18, 2014

Type of Action: Appointment

Bill Summary: This bill appoints Kenneth A. Filip to the Jacksonville Housing Finance Authority, filling the seat created by Ordinance 2014-185-E, for a first term ending June 30, 2018.

Background Information: The Jacksonville Housing Finance Authority is established pursuant to Chapter 52, *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. Ordinance 2014-185-E, enacted August 12, 2014, increased the membership of the board from five to seven members, including an additional member appointed by the Council.

Mr. Filip received a master's degree in business administration from Kansas University and is a Senior Vice President, Commercial Real Estate Lender with *Synovus Bank*. He has previously served on both the Housing Commission and the Jacksonville Housing Finance Authority. Ms. Filip resides in Jacksonville Beach within Council District #13.

Policy Impact Area: Jacksonville Housing Finance Authority operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt

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 2014-655

Sponsor: Council President Yarborough

Date of Introduction: September 23, 2014

Committee(s) of Reference: R

Date of Analysis: September 18, 2014

Type of Action: Reappointment

Bill Summary: This bill reappoints Fred A. DeWitt, to the Building Codes Adjustment Board (BCAB), for a second three-year term ending September 30, 2017.

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. DeWitt received a bachelor's degree from the University of North Florida and is a Florida Certified General Contractor. He is President and CEO of *Design, Development & Contracting, Inc.* Mr. DeWitt resides in the Holly Oaks area within Council District #2.

Attendance: According to information provided by the staff for the Building Codes Adjustment Board, Mr. DeWitt has attended 94% of the meetings of the board since his initial appointment in 2012.

	Meetings Attended	Meetings Held
2012	4	5
2013	5	5
2014	7	7
Total	16	17

Policy Impact Area: Building Codes Adjustment Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Merritt