

**CITY COUNCIL RESEARCH DIVISION**  
**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Ordinance 2013-657

**Introducer/Sponsor(s):** LUZ Committee

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Comprehensive Plan amendments

**Bill Summary:** The bill amends the 2030 Comprehensive Plan's Future Land Use, Housing, Intergovernmental Coordination, Recreation and Open Space and Transportation Elements to change departmental references from Jacksonville Economic Development Commission (JEDC) to either Office of Economic Development (OED) or Downtown Investment Authority (DIA) as appropriate.

**Background Information:** The proposed changes were transmitted to Tallahassee via Ordinance 2013-348-E for review and comment by the appropriate state agencies. Having received no objections from the state, the changes are being adopted to the Comprehensive Plan.

**Policy Impact Area:** Comprehensive Plan

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2013-660

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

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Ellen M. Blair as the Chief of Compensation and Benefits within the Employee Services Department

**Background Information:** Section 33.302, *Ordinance Code*, provides that the Chief shall have a bachelor's degree from an accredited institution, proven administrative ability and at least five years of experience in the field of compensation and employee benefits management. This Chief position has been vacant since it was established in Dec. 2011 via 2011-732-E.

Ms. Blair received a master's degree in business administration / human resources management from Thomas College. She has been employed with the City of Jacksonville as the Chief of Talent Management since September 2012. Her prior employment includes Human Resources Director for the Town of Scarborough, Maine (2010-2012) and the City of Augusta, Maine (1998-2010) and Human Resources Manager (1996-1998) at *Motivational Services, Inc.*

**Policy Impact Area:** Employee Services Department / Compensation & Benefits Division operations

**Fiscal Impact:** According to Employee Services, the salary range for this position is \$80,774 - \$131,875 annually.

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-661

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

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Paul Martinez as Director of Intra-Governmental Services.

**Background Information:** Section 23.101, *Ordinance Code*, provides that the Director shall have a bachelor's degree or higher from an accredited college or university and at least five years of experience in an administrative or executive position with a business, corporation, or governmental body or have a law degree or other commensurate training and experience. This Director position has been vacant since September 2012 and Mr. Martinez has been the Acting Director since September 9, 2013.

Mr. Martinez received a bachelor's degree from Jacksonville University and holds a Florida Real Estate Broker license. He was the President/CEO of *Martinez Advertising Group* for 12 years. Mr. Martinez currently serves on the Mayor's Hispanic American Advisory Board and previously served on the Jacksonville Children's Commission. He resides in Duval County.

**Policy Impact Area:** Jacksonville Children's Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-662

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

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Diane M. Brown, as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second three-year term ending June 30, 2016.

**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; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City with an interest in city financial planning and budgeting and knowledge or expertise in financial management or accounting, and six of the members shall be appointed by the Mayor and confirmed by the Council.

Ms. Brown received a master's degree in business administration from Jacksonville University and is an Information Systems Manager with *Prudential Financial*. She resides in the Mandarin area within Council District #6.

**Policy Impact Area:** TRUE Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-663

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

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of Marc M. El Hassan, as a member of the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second three-year term ending June 30, 2016.

**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; Other areas as the Commission may determine are appropriate and within their scope.

Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City with an interest in city financial planning and budgeting and knowledge or expertise in financial management or accounting, and six of the members shall be appointed by the Mayor and confirmed by the Council.

Mr. El Hassan received a master's degree in business administration from Jacksonville University and holds Florida licenses as a Community Association Manager and a Real Estate Broker. He is a Vice President with *International General Development, Inc.*, a real estate development and holding company. Mr. El Hassan resides in the Pickwick Park area within Council District #6.

**Policy Impact Area:** TRUE Commission operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-664

**Sponsor:** Council President Gulliford

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Iris T. Young to the Public Service Grant Council, in a seat established via Ordinance 2013-116-E, for an initial term ending December 31, 2013, followed by a first full three-year term ending December 31, 2016.

**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. Ordinance 2013-116-E, effective March 14, 2013, increased the membership of the Public Service Grant Council from seven to thirteen voting members, including three additional members appointed by the City Council President and confirmed by the City Council.

Ms. Young received a master's degree in management and marketing from Jacksonville University and a master's degree in education counseling from the University of Florida. She was the Executive Director of the *Jewish Family and Community Services* for over 30 years. Ms. Young resides in the Arrowhead area within Council District #6.

**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 2013-665

**Sponsor:** Council President Gulliford

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Reappointment

**Bill Summary:** This bill reappoints Nicholas C. Howland, to the Environmental Protection Board, as an affected industry representative, for a second four-year term ending September 30, 2017.

**Background Information:** The Environmental Protection Board is established pursuant to Chapter 73, *Ordinance Code*, and charged to study, promulgate and enforce appropriate rules for environmental protection; work in cooperation with the State and other agencies and groups interested in environmental quality control; investigate pollution control programs; conduct investigations and hearings on complaints; issue appropriate orders for enforcement of pollution standards; grant variances requested by pollution sources; general authority over the Groundwater and Surface Water Resource Management Program and the Hazardous Regulated Substance Program; and review and approve requests for Sustainable Building Certification Refund Grants.

Section 73.101, *Ordinance Code*, provides that four of the nine members of the board shall be nominated by the Council President and appointed by the Council in various categories including a representative of industries affected by and subject to the Board's jurisdiction.

Mr. Howland received a master's degree in business administration from the University of Chicago and is the Vice President / Managing Director for *Survitec Group LTD*. He resides in Council District #3.

**Attendance:** According to information provided by the staff for the board, Mr. Howland has attended 81% of the meetings of the board since his initial appointment in 2009.

	Meetings Attended	Meetings Held
<b>2009</b>	2	2
<b>2010</b>	14	15
<b>2011</b>	20	22
<b>2012</b>	12	19
<b>2013</b>	12	16
Total	60	74

**Policy Impact Area:** Environmental Protection Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2013-666

**Sponsor:** Council President Gulliford

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Jesse C. Crimm to the Jacksonville Health Facilities Authority, filling the seat formerly held by Peter Lafser, for an unexpired term ending December 15, 2014.

**Background Information:** The Jacksonville Health Facilities Authority is established pursuant to Chapter 490, *Ordinance Code*, and charged to assist health facilities in the acquisition, construction, financing, and refinancing of projects. Section 490.106, *Ordinance Code*, provides that the members of the board are appointed by the Council.

Mr. Crimm received master's degrees in business administration and health care administration from the University of North Florida. He retired with 24-years of health care financial administration experience and works part-time in security services. Mr. Crimm resides in the Miramer area within Council District #5.

**Policy Impact Area:** Jacksonville Health Facilities Authority operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh



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**Bill Type and Number:** Ordinance 2013-668

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

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Easement Closure

**Bill Summary:** The ordinance closes and abandons and/or disclaims an easement for drainage, utilities, and sewers on Lot 42, Goodby's Creek Unit Two, as recorded and established in Plat Book 36, Page 2A, dated July 15, 1977, in the public records of Duval County, in Council District 6, at the request of Paul G. Abdullah, III (the "applicant") to allow applicant to construct a garage and workshop building.

**Background Information:** This request for an easement closure has been sent to various state, municipal, and utility agencies which might have an interest in the matter and there were no objections.

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

**Fiscal Impact:** The applicant has paid a \$500.00 closure application processing fee.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-669

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

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Declaration and transfer of surplus property; authorization of property purchase and sale agreements; Ordinance Code waivers; Ordinance Code amendment; request for emergency action

**Bill Summary:** The bill declares as surplus and authorizes the conveyance to the Police and Fire Pension Fund the following City properties: Jacksonville Shipyards (750 and 950 E. Bay Street); old county courthouse (330 E. Bay Street); old City Hall (220 E. Bay Street); Main and Forsyth parking lot (Main and Forsyth streets); Water Street parking garage (541 W. Water Street); and the block bounded by Pearl, Adams, Julia and Monroe Streets (vacant lot south of the old Federal Courthouse/new State Attorney's Office building – acquired as a portion of the new county courthouse site). The bill waives the provisions of Ordinance Code Chapter 122 (Public Property) and Chapter 500 (Community Redevelopment) to allow the properties to be disposed of by direct conveyance rather than a competitive sale process. The bill authorizes the Mayor and administration to execute a Purchase and Sale Agreement and other such documents as may be necessary to complete the transaction.

The bill amends Ordinance Code Chapter 121 – Police and Firefighters Pension Plan – to add a new subsection authorizing the PFPF board of trustees to invest the fund's assets in the same array of investments authorized by Chapter 112, Part VII and Sec. 215.47, Florida Statutes after giving 10 days' written notice to the City Council Finance Committee prior to the adoption of any change in the PFPF's asset allocation plan or the introduction of any new asset classes. The bill requests emergency first reading passage.

**Background Information:** The bill would transfer City buildings and vacant real estate to the Police and Fire Pension Fund in exchange for a credit of \$69.387 million against the City's liability for the pension fund's unfunded accrued actuarial liability (UAAL) and would authorize the PFPF to invest in a wider range of investment options, thereby increasing the likelihood of higher investment returns.

**Policy Impact Area:** Pension fund operations

**Fiscal Impact:** The bill would convey to the PFPF City assets currently valued at \$69.387 million.

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2013-671

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

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Curing defect in prior legislation

**Bill Summary:** The bill confirms the City Council's prior reappointment of Cindy Laquidara as General Counsel in order to cure an actual or perceived defect in the process of her reappointment to the office in 2011.

**Background Information:** Section 7.204 of the City Charter provides that a General Counsel may be reappointed by a newly elected mayor or a mayor reelected to a second term, and that the reappointment shall be confirmed by the City Council. The bill's sponsor believes that the reappointment of Ms. Laquidara to serve as General Counsel for the Brown administration was faulty because the appointment, made by means of Resolution 2011-432, was introduced prematurely by the mayor-elect before he was sworn into office and was approved as an emergency by the outgoing 2007-11 City Council at its last meeting, not by the incoming 2011-15 City Council whom the General Counsel would be serving in her new term. The General Counsel has issued an opinion finding that her reappointment in 2011 was proper and valid.

**Policy Impact Area:** General Counsel appointment

**Fiscal Impact:** None

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2013-672

**Sponsor:** Council President Gulliford

**Date of Introduction:** September 24, 2013

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

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

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Douglas W. Alred to the Context Sensitive Streets Standards Committee, as a running advocate, for a first term ending July 31, 2017.

**Background Information:** The Context Sensitive Streets Standards Committee is established pursuant to Chapter 32, Part 7, *Ordinance Code*, and charged to review and revise the City standard specifications, City standard details and rules, standards and policies set forth in the Land Development Procedures Manual and any other regulations, relating to transportation, traffic engineering and roadway design, and make recommendations concerning amendments to the Ordinance Code and 2030 Comprehensive Plan pertaining to such issues on or before March 1, 2014. Section 32.702(b)(2), *Ordinance Code*, provides for six of the thirteen members of the committee to be appointed by the Council President and confirmed by Council, in various categories, including a running advocate.

Mr. Alred received a business degree from the University of North Florida. He is the CEO of *1<sup>st</sup> Place Sports* and Director of the *Gate River Run*. Mr. Alred resides in the Beauclerc area within Council District #6.

**NOTE:** The term expiration date may need to be amended to **July 31, 2016**, so as to comply with the requirements of Sec. 32.702(c), *Ordinance Code*, establishing staggered terms for the membership of the Context Sensitive Streets Standards Committee.

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

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2013-673

**Sponsor:** Council Member Brown:

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Authorization for Amendment 1 to Extend Contract

**Bill Summary:** The ordinance approves and authorizes the Mayor and Corporation Secretary to execute Amendment 1 between the City of Jacksonville and TBE Group Inc., D/B/A Cardno TBE, to extend the contract approved in Ordinance 2013-15-E to extend the agreement until September 30, 2014 to pursue grants related to Brownfields property; requesting emergency passage upon introduction.

**Background Information:** Ordinance 2013-15-E appropriated \$47,000 from Spec Council Contingency to execute an Agreement with TBE Group; the consulting services award stipulated that TBE Group/ d/b/a Cardno TBE assist the City in identifying and obtaining grants from federal and state sources available for Brownfields projects. TBE's Jacksonville Branch Manager, Kenneth Pinnox, was formerly with the City of Jacksonville's Brownfields program in the Planning & Development Department.

Emergency passage upon introduction is requested; the nature of the emergency is that the current contract expires September 30, 2013.

**Policy Impact:** Brownfields Programs

**Fiscal Impact:** The ordinance would authorize an amendment to renew a contract with a value of \$47,000.

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-674

**Sponsor:** Council Members Brown and Gaffney:

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Honorary Street Designation; Ordinance Code Waiver

**Bill Summary:** The ordinance establishes an honorary street designation on a segment of Hamilton Circle extending from Cleveland Road to Vernon Road in Jacksonville for Van D. Jenkins; it provides for the installation of two honorary roadway markers to be located in appropriate locations on the designated roadway in Council District 10; it provides for conformance with Part I (General Provisions) of Chapter 745, *Ordinance Code*, (Addressing and Street Naming Regulations); the ordinance waives the requirements of Section 745.105(e)(2), *Ordinance Code*, regarding persons who honorary street designation may be named after; directs Legislative Services to forward the ordinance to the Planning and Development Department.

**Background Information:** Van D. Jenkins worked at CSX; he served as a softball coach for Raines and Paxon High Schools. For more than thirty years, Van D. Jenkins served with the City of Jacksonville Parks and Recreation Department as a coach and park director at Scott Park. Throughout his long career in coaching youth sports, numerous Jacksonville star athletes were coached by Van D. Jenkins. A private donor has provided funding to cover the costs of the roadway markers.

**Policy Impact:** Public Works

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-675

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

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

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

**Bill Summary:** The ordinance appropriates \$544,431.92 (\$495,000.00 from the Cecil Gym Capital Improvement Trust to renovate the main entry, women's restroom, fitness area, and gymnasium, and \$49,431.92 from the Cecil Commerce Center Trust Fund for amenities and upgrades at the park sport complexes), as initiated by B.T. 13-100; provides for a carryover of funds to Fiscal Year 2013-2014; amends the 2012-2017 Five-Year Capital Improvement Program, approved by Ordinance 2012-434-E, to establish the project entitled "Cecil Field Gym Renovations"; provides for City oversight by the Department of Parks and Recreation.

**Background Information:** Repair and renovation work in the parks component of the complex include: Fencing, ball field clay/infield grading, irrigation system, adding player's benches to dugouts, applying fertilizer to fields, Turface infield conditioner, shared structures for bleacher areas, purchase/install automatic pop up sprinkler heads for infield (Lake Fretwell Park and Taye Brown Regional Park).

**Policy Impact:** Parks and Recreation Department

**Fiscal Impact:** The ordinance appropriates \$544,431.92

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2013-676

**Introducer/Sponsor(s):** Council Members Lee, Boyer, Gaffney, Gulliford and Redman

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Ordinance Code amendment; approval of modified Metropolitan Park license agreement; adoption of interim rules for Metropolitan Park use

**Bill Summary:** The bill amends Ordinance Code Chapter 368 – Noise Control – to establish temporary noise standards for special events at Metropolitan Park effective through September 30, 2014 for events with an anticipated attendance of 500 or more at which amplified sound will be utilized. The bill creates a definition of a “ticketed event” and defines the term “12 ticketed events”. It approves a modified Metropolitan Park license agreement for use by the park for events that will have an anticipated attendance of 500 or more at which amplified sound will be utilized and adopts interim rules for the administration and governance of Metropolitan Park. The temporary noise standards, definition of “ticketed event” and modified Metropolitan Park license agreement are sunset as of September 30, 2014.

**Background Information:** The bill is introduced by the members of the Ad Hoc Committee on Metropolitan and Urban Parks to provide an interim regulatory system for large amplified music events at the park until a permanent system can be devised when the future of the park and its facilities is determined. The interim noise standards provide for two alternative regulatory options: a decibel limit (broadband and octave) measured inside the park at the sound mixing board or the current decibel limits measured at the receiving properties outside the park if the concert promoter utilizes electro-acoustical sound steering technology inside the park. The temporary standards limit event hours by day and by multi-day event, establish penalties for violations; regulate the number and location of stages within the park property; limit times when sound checks can take place, and establish a noise pollution compliance fee and sound monitoring requirement.

**Policy Impact Area:** Metropolitan Park operations

**Fiscal Impact:** Undetermined

**Analyst:** Clements



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**Bill Type and Number:** Ordinance 2013-678

**Introducer/Sponsor(s):** Council Members Gulliford and Clark

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Authorization to issue health care facilities revenue bonds; authorizing project financing agreements; authorizing execution of identifications of anticipatory hedges; appointing oversight agency

**Bill Summary:** The bill authorizes the issuance of up to \$7.5 million in health care facilities revenue bonds on behalf of Renaissance Behavioral Health Systems to refinance prior bonds and to provide resources to renovate several Mental Health Center of Jacksonville facilities.

**Background Information:** Renaissance Behavioral Health Systems is the umbrella company for the Mental Health Center of Jacksonville, Inc. The bill would authorize the issuance of revenue bonds for the purpose of refinancing existing bonds (\$3.37 million) and to pay for renovations of the Mental Health Centers at 3333 W. 20<sup>th</sup> Street and 11820 Beach Boulevard.

**Policy Impact Area:** Health care facility financing.

**Fiscal Impact:** The bill authorizes issuance of up to \$7.5 million in revenue bonds for which the City bears no financial liability.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2013-679

**Sponsor:** Council President Gulliford:

**Date of Introduction:** September 24, 2013

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

**Date of Analysis:** September 27, 2013

**Type of Action:** Settlement Approval; Expenditure Approval; Appropriation; CIP Amendment; Request for Emergency Passage.

**Bill Summary:** The ordinance is in accordance with Section 112.307 (Claims and Suits Brought Against the City Seeking Monetary Relief), *Ordinance Code*, approving the settlement of a dispute between the City of Jacksonville and the Police and Fire Pension Fund Board of Trustees with respect to the purchase price for the Haverty/YMCA Building (also known as the “Jake Godbold Building”); it approves an expenditure for the settlement in the amount of \$547,390.10 from the General Fund – GSD in FY12-13; it authorizes the execution of any closing documents; the ordinance appropriates \$547,390.10 from Public Works Electricity Line Item to provide funding for the settlement; the ordinance amends the 2012-2017 Five Year Capital Improvement Program, approved by Ordinance 2013-434-E, to fund the project entitled “ Haverty/YMCA Building Purchase”; *requests emergency passage upon introduction.*

**Background Information:** In 2009, the City agreed to purchase and conveys the Haverty Building to the Police and Fire Pension Fund. The City then leased the building back from the PFPF for use as City office space. Pursuant to Ordinance 2013-187-E, the City Council directed the Mayor to appoint the Public Works and Finance Department to oversee the purchase of the Jake Godbold (Haverty) Building from the PFPF. Pursuant to the terms of the Lease, the City advised the PFPF of its intention to exercise its purchase option on July 25, 2013. A dispute arose between the City and the PFPF over the correct purchase price for the building. Going by its calculation, the City tendered a check in the amount of \$14,304,357.68 to the PFPF on September 16, 2013; the PFPF refused to close on the sale. The parties have reached a potential settlement, subject to review and approval of the City Council. The City has agreed to increase the purchase price. To ensure that adequate funds are available in the event that the closing is extended to September 30, 2013, an additional \$3,608.00 is being appropriated, resulting in a total appropriation in this ordinance of \$547,390.10 and a total potential payment to the PFPF of \$14,862,478.10. *Emergency passage is requested; the City has until October 22, 2013, in which to close based upon the terms of the Lease and the date the City exercised its option to purchase; the City has not appropriated monies for any lease payments beyond September 30, 2013.*

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

**Fiscal Impact:** The ordinance appropriates \$547,390.10 to purchase the Haverty/Jake Godbold building from the Police and Fire Pension Fund.

**Analyst:** Jackson

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2013-680

**Sponsor:** Council President pursuant to Chapter 92, *Ordinance Code*:

**Date of Introduction:** September 24, 2013

**Committee(s) of Reference:** RCD; LUZ

**Date of Analysis:** September 27, 2013

**Type of Action:** Consent Authorization; Ordinance Code Amendment

**Bill Summary:** The ordinance concerns the city of Jacksonville's consent to the Beach Community Development District's ("CDD") exercise of certain special powers related to recreational and security infrastructure pursuant to Section 190.012(2)(a) and (d), Florida Statutes and Section 92.15, *Ordinance Code*; amends Section 92.22 (Existing Community Development Districts), *Ordinance Code*, to include the grant of this consent.

**Background Information:** The Beach Community Development District (the "CDD") was established by Ordinance 2007-170-E, on March 26, 2007, and granted consent to exercise certain special powers related to fire prevention and control in Ordinance 2007-780-E. The CDD covers approximately 782 acres in Council District 3, between Kiernan and Hodges Boulevards. By Resolution 2013-08, the CDD's Board of Supervisors has requested the City of Jacksonville to grant the City's consent to construct and maintain parks and facilities for indoor or outdoor recreational, cultural, and educational uses and security facilities including, but not limited to, guardhouses, fences, and gates, electronic intrusion-detection systems and patrol cars.

**Policy Impact:** Community Development Districts

**Fiscal Impact:** The CDD has paid a fee in the amount of \$1,500 for the City's consent for special powers

**Analyst:** Jackson