

LEGISLATIVE FACT SHEET

DATE: Sept. 8, 2016

BT or RC No: N.A.
(Administration & City Council Bills)

SPONSOR: Department of Administration and Finance
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation: Cal Ray

Provide Name: Cal Ray

Contact Number: 630-1286

Email Address: cray@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

This will make an amendment to chapter 12 which remove will remove the requirement for written approval of the department that initiated the lien from Chapter 112.110 (b), (c), and (d). This change will help simplify and expedite resolution of disputed liens and claims.

This will also make amendment to Chapter 518.145 (d) to clarify and strengthen the requirement that property comply with the Property Safety and Maintenance Code in order to qualify for consideration of lien extinguishment.

APPROPRIATION: Total Amount Appropriated not applicable as follows:

List the source **name** and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

Not Applicable.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Justification of Emergency: If yes, explanation must include detailed nature of emergency.
			<input type="text"/>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.
			<input type="text"/>

Fiscal Year Carryover?

Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?

Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?

Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Related RC/BT?

Attachment: If yes, attach appropriate RC/BT form(s).

Waiver of Code?

Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?

Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?

Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

Sections 112.110(b),(c) and (d); and 518.102(b)

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS: Yes No

Continuation of Grant?

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?


Attachment: If yes, attach appropriate form(s).

Reporting Requirements?

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating

Division Chief: _____
(signature)

Date: 10/27/2016

Prepared By: 
(signature)

Date: 10/27/2016

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: _____

(Name, Job Title, Department)

Phone: _____

E-mail: _____

From: Michael Weinstein, Director, Administration and Finance

Initiating Department Representative (Name, Job Title, Department)

Phone: 630-4944

E-mail: mweinstein@coj.net

Primary Contact: Cal Ray, Administration and Finance

(Name, Job Title, Department)

Phone: 630-1286

E-mail: cray@coj.net

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480

Phone: 904-630-4647

E-mail: psidman@coj.net

From: _____

Initiating Council Member / Independent Agency / Constitutional Officer

Phone: _____

E-mail: _____

Primary Contact: _____

(Name, Job Title, Department)

Phone: _____

E-mail: _____

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:

Yes

No

Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

Section 518 Ordinance Code sets forth the City's intent to enforce and obtain compliance with the Jacksonville Property Safety and Maintenance Code. It reads:

(b)

The city finds and declares public nuisances those conditions that endanger the public health and welfare or safety of the community; and it is within its police powers to declare any condition that endangers the general health, welfare and safety of the inhabitants a public nuisance, and the city is empowered to prevent, abate, and remove nuisances, to include not only the abating of an unsafe and unsanitary condition, but also the destruction and removal of any unsafe structure. The city further finds and declares that the abatement of the public nuisances provides a special benefit to the property in the form of added use and enjoyment which further enhances the value of the property. Therefore the debt associated with the city's action is a special assessment.

Pursuant to the above referenced section, the City's Municipal Code Compliance Division (the Division) conducts ongoing inspections of real property and improvements to determine compliance with Chapter 518 and communicate, in writing, instances of non-compliance to respective property owners. If the property is not timely brought into compliance, after written notification, the City may authorize abatement or removal of the nuisance through a private contractor and place a special assessment lien for the cost of abating the nuisance against the subject property. These liens accumulate interest at the rate of one percent per month and remain in place until such time as they are paid in full. A significant number of these properties are foreclosed, abandoned, lost via a tax deed sale or are otherwise neglected, abandoned or liens are not paid timely and over time become neglected or even abandoned properties with the unpaid abatement liens still outstanding.

In many instances, these properties become a source of blight in their respective neighborhoods. They may well require additional abatement actions in the future and they contribute little or nothing to the tax base. Clearly, it is in the best interests of the City to expeditiously facilitate the return of these properties to the tax base and to serve as a positive asset in its respective neighborhood.

Accordingly, we are requesting that Chapter 112, section 112.110 parts b, c and d be amended to remove the requirement for written approval of the department that initiated the bill.

We are also requesting that Chapter 518, section 518.145 (d) be amended to read:

In exceptional circumstances, when the property has been abandoned, is heavily encumbered with liens and constitutes a blighting influence, the Director of Finance, with the concurrence of the Real Estate Officer, shall be authorized to extinguish the lien in consideration for the rehabilitation of the property to conform with the minimum standards of this Chapter. The extinguishment of the lien shall in no circumstance take effect until the property complies with the Jacksonville Property Safety and Maintenance Code been-rehabilitated to the satisfaction of the Chief.