

## LEGISLATIVE FACT SHEET

DATE: 11/14/17

BT or RC No: BT18-029  
(Administration & City Council Bills)

SPONSOR: Office of General Counsel  
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation. \_\_\_\_\_

Provide Name: Wendy E. Byndloss

Contact Number: (904) 630-3902

Email Address: wbyndloss@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.)

Appropriate available FY17 budgetary expense balance within Public Works' General Fund activities that has dropped into the General Fund - GSD fund balance to pay settlement costs related to Lesley Davidson v. City of Jacksonville (the "Davidson Litigation").

The purpose of this legislation is to authorize the appropriation of \$190,000.00 to settle a federal court lawsuit, the caption of which is Lesley Davidson v. City of Jacksonville (the "Davidson Litigation"). The Plaintiff, Lesley Davidson, a former employee of the City's Public Works Department, filed a lawsuit against the City of Jacksonville alleging sex discrimination in violation of federal and state statutes which prohibit such discrimination.

On October 20, 2017, the federal court denied the City's Motion for Summary Judgment, which would have dismissed the case without a trial. As a result, the Davidson Litigation would have to be decided by a jury at trial, which was scheduled for November 13-17, 2017. The Plaintiff's initial settlement demand was \$2,000,000, but if the Plaintiff prevailed at trial, the potential verdict the jury could award would not be limited by the Plaintiff's demand. Although the City has meritorious defenses, due to this risk and to avoid lengthy and expensive litigation and uncertain outcomes, the Administration authorized OGC to attempt to settle the case.

On November 8, 2017, the parties settled the case for \$190,000.00, pending City Council approval

APPROPRIATION: Total Amount Appropriated \$190,000.00 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: <u>General Fund - GSD fund balance</u>	Amount: <u>\$190,000.00</u>
	To: <u>Judgements, Claims and Losses Over \$50,000</u>	Amount: <u>\$190,000.00</u>
Name of In-Kind Contribution(s):	From: _____	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.)

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

**ACTION ITEMS:**

	<b>Yes</b>	<b>No</b>
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

	<b>Yes</b>	<b>No</b>
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.

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.

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

**ACTION ITEMS:**

	<b>Yes</b>	<b>No</b>
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?

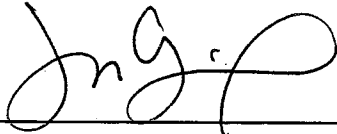
Surplus Property Certification?

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:

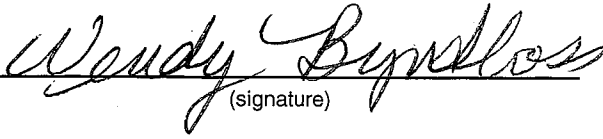


(signature)

Date:

11/20/17

Prepared By:



(signature)

Date:

11/15/17

**ADMINISTRATIVE TRANSMITTAL**

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

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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

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From: Wendy E. Byndloss, Office of General Counsel

Initiating Council Member / Independent Agency / Constitutional Officer

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CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor  
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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**