

# LEGISLATIVE FACT SHEET

DATE: 01/31/18

BT or RC No: \_\_\_\_\_  
(Administration & City Council Bills)

SPONSOR: Mayor's Office  
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Sondra Fetner, OGC

Provide Name: Sondra Fetner

Contact Number: 630-1714

Email Address: sfetner@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.)

The purpose of the legislation is to have Council approve and authorize the Mayor and Corporation Secretary to execute and deliver the Declaration of Restrictive Covenant (Composite Exhibit 1) between the City of Jacksonville and the Florida Department of Environmental Protection (FDEP), and any other documents necessary to effectuate the purposes of the Restrictive Covenant for the property known as St. Johns Park, located at 0 Riverplace Blvd., RE # 080394-0006 (Property), so as to place environmental restrictions on the site.

Due to the contamination that remains onsite, the FDEP has required the City enter into a Declaration of Restrictive Covenant. The Restrictive Covenant will place environmental restrictions on the site, known as an Engineering Control, which includes the maintenance of two feet of clean and uncontaminated soil that prevents human exposure and the removal and disposal of contaminated soils in accordance with proper methods pursuant to Ch. 62-780, F.A.C. and dewatering activities approved by FDEP. The Engineering Control is outlined in the Engineering Control Maintenance Plan (Composite Exhibit 1).

APPROPRIATION: Total Amount Appropriated \_\_\_\_\_ 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: N/A | 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.)

N/A

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

**ACTION ITEMS:**

Emergency?  Yes  No

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

Federal or State Mandate?  Yes  No

Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

The Florida Department of Environmental Protection (FDEP) is requiring the City enter into the Declaration of Restrictive Covenant due to the existence of contaminated soil remaining onsite.

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?

The Declaration of Restrictive Covenant needs to be executed by the Mayor and the Corporation Secretary. FDEP has reviewed and approved the Declaration of Restrictive Covenant and Engineering Control Maintenance Plan. Until 2028, the Developer, St. Johns Center, LLC, will be responsible for normal repairs and maintenance and capital repairs or replacement will be the obligation of the City. After 2028, the City will be responsible for the entire Property. The Solid Waste Division will provide oversight for the Declaration of Restrictive Covenant.

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:**      **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: Jason Neal  
(signature)

Date: 1/31/18

Prepared By: Sordha [signature]  
(signature)

Date: 1/31/18

**ADMINISTRATIVE TRANSMITTAL**

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

Thru: Daryl Joseph, Director, Department of Parks, Recreation and Community Services  
(Name, Job Title, Department)  
Phone: 255-7903 E-mail: djoseph@coj.net

From: Sondra Fetner, Assistant General Counsel, OGC  
Initiating Department Representative (Name, Job Title, Department)  
Phone: 630-1714 E-mail: sfetner@coj.net

Primary Contact: Sondra Fetner, Assistant General Counsel, OGC  
(Name, Job Title, Department)  
Phone: 630-1714 E-mail: sfetner@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**