

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Resolution 2018-223

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation; authorization of fiscal year carry-over; authorizing execution of economic development agreement; designation of oversight agency; affirmation of compliance with agency guidelines; request for 1-cycle emergency approval

**Bill Summary:** The bill appropriates \$40,000 from the Northwest Economic Development Fund to make and Economically Distressed Area Targeted Industry Program (EDATIP) grant to “Project Cart” (name temporarily kept confidential) to incentivize an expansion of the company’s current operation and the creation of up to 40 new full-time jobs. It authorizes carry-over of the appropriated funds from year to year until totally distributed or until returned to the fund of origin. The bill authorizes execution of an economic development agreement between the City and Project Cart and designates the Office of Economic Development as the City’s oversight agency. It certifies that the grant conforms to the guidelines of the Northwest Economic Development Fund and requests approval of the resolution on a “fast track” basis on second reading.

**Background Information:** Project Cart is a wholesale distributor of food and grocery store items currently operating in Northwest Jacksonville in an area designated as a “distressed area” pursuant to the City’s Public Investment Policy. The company proposes to expand its existing operation and create at least 10 and up to 40 new full-time jobs at an average wage of \$30,100, some of which may be filled by personnel transferring to Jacksonville from other company locations out-of-state. The company plans to invest approximately \$200,000 in building renovations and \$200,000 in new equipment to accommodate the new jobs. The City is proposing to offer an Economically Distressed Targeted Industry Grant (in the targeted field of logistics) of up to \$40,000 (\$1,000 per new employee up to 40), payable over 4 years. The economic development agreement requires that a minimum of 20% of the new employees be residents of Northwest Jacksonville and that the average wage be at least \$30,100 to qualify for the grant.

The Economically Distressed Area Targeted Industry Program (EDATIP) was added to the City’s Public Investment Policy when it was recently revised and this will be the first use of that program.

**Policy Impact Area:** Economic development

**Fiscal Impact:** The bill appropriates \$40,000 from the Northwest Economic Development Fund to make a grant payable over 4 years.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-225

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Closing and abandoning easement

**Bill Summary:** The bill closes and abandons an access and drainage easement on the south side of the termination of Brightman Boulevard in Council District 4, contingent upon acceptance by the City of a new drainage easement and pond easement to be provided by the property owner.

**Background Information:** The closure and abandonment is requested by the property owner to facilitate the construction of a new apartment complex on the site. The property is located between I-295 and the St. Johns Town Center, south of the Top Golf facility. No City agency has objected to the closure of the easement.

**Policy Impact Area:** Easement closure

**Fiscal Impact:** The property owner has paid a closure application fee of \$1,066 to the General Fund.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-226

**Introducer/Sponsor(s):** Council President pursuant to Ord 2011-724-E

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Special district budget approval

**Bill Summary:** The bill approves the Isle of Palms Dependent Special District budget for FY18/19 in the amount of \$373,350.

**Background Information:** The City of Jacksonville established the Isle of Palms as a Dependent Special District for the purpose of dredging the Isle of Palms canal system. The Isle of Palms Special District (IPSD) raises revenue through homeowner assessments to reserve for dredging. Per Ordinance 2011-724-E and section 189.02, Florida Statutes, the Isle of Palms Dependent Special District must submit its proposed budget to the City Council every year by April 1st. The budget shows \$263,600 being allocated to a dredging reserve and \$109,750 being allocated to engineering fees (\$66,000) and district operating expenses.

**Policy Impact Area:** Special assessment district budget approval

**Fiscal Impact:** None to City

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-227

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Authorization to issue higher educational facility revenue bonds; appointing bond trustee; authorizing bond sale award

**Bill Summary:** The bill authorizes the issuance of up to \$50 million in Higher Educational Facilities Revenue Bonds on behalf of Jacksonville University to finance capital improvements on the university's main campus and to refinance previous bonds. It authorizes a delegated negotiated sale of the bonds, appoints a bond trustee, authorizes execution and delivery of a trust indenture, loan agreement, bond indenture and master note, and authorizes the Office of Economic Development to award the sale of the bonds to a pre-selected underwriter pursuant to the provisions of a Bond Purchase Agreement. The bonds are declared not to be debts or liabilities of the City.

**Background Information:** The bill provides for the issuance of up to \$50 million in tax-exempt private activity bonds on behalf of Jacksonville University, which will use the proceeds to: 1) construct a new 3-story building to house the Brooks College of Healthcare Sciences; 2) renovate existing residence halls built in the 1950s and 1960s; 3) construct a new welcome center/admissions office; 4) make various other smaller capital improvements on the main campus; 5) install furniture, fixtures and equipment in the new and renovated buildings; and 6) refinance a portion of an earlier bond issue from 2006 that constructed several new buildings on the campus. The bill authorizes a negotiated sale of the bonds to a chosen underwriter. Jacksonville University will be responsible for repayment of all costs of the obligations.

**Policy Impact Area:** Support for higher education

**Fiscal Impact:** None to the City – Jacksonville University as the beneficiary will assume all costs and repayment obligations.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-228

**Introducer/Sponsor(s):** Introduced by the Finance Committee

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation of recaptured funds

**Bill Summary:** This bill is a transfer appropriation of \$113,430.20 from funds that were recaptured to the General Fund - GSD for FY 2016/17 to address the negative cash balance as of September 30, 2017 within Huguenot Park Subfund 1D1.

**Background Information:** The 2017-2018 budget Ordinance 2017-504-E, Section 11.9 states that the Director of Finance and Administration shall include to the Council Auditors, within the recapture journal entry report all subfunds that have negative balances. The Council Auditor will, in conjunction with the Director of Finance and Administration, provide a list to the Finance Committee on recommendations of which subfunds to address before recapturing the balances to the Operating Reserves and Emergency Reserves. The purpose of this legislation is to provide funding to address the negative cash balance as of September, 2017 within the Huguenot Park Subfund.

**Policy Impact Area:** Huguenot Park Subfund

**Fiscal Impact:** Appropriation of \$113,430.20 transferred to the Huguenot Park Subfund

**Analyst:** Hampsey

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**Bill Type and Number:** Ordinance 2018-229

**Introducer/Sponsor(s):** Council Member R. Brown

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Declaration of surplus property; authorization of directed sale of property; approval of sale and purchase agreement, promissory note and mortgage; Ordinance Code waiver; scheduling public hearing; designating oversight department

**Bill Summary:** The bill declares surplus two parcels of property at the intersection of Wilson Boulevard and Debra Drive immediately west of I-295 (RE numbers 012478-0000 and 012478-0100) and authorizes their directed sale to Selah, Irsada and Mirsad Celaj for \$600,000 in cash and a forgivable promissory note and mortgage in the amount of \$143,000. The bill waives the provision of Ordinance Code Chapter 122 – Public Property – that requires City property valued at \$25,000 or more to be sold via a competitive bid process and waives the provision of Sec. 122.106 of Chapter 122 to allow the City Council rather than the Mayor to initiate the required public hearing process before a fire station can be closed or its use changed. The Council Secretary is directed to schedule and publish notice of a public hearing and to post signs on the property at least 10 days prior to the date of the hearing. The Real Estate Division is designated as the City’s oversight agency for the transaction.

**Background Information:** The two parcels comprise a total of 9.76 acres and are the site of former Fire Station #31 (since relocated to Hillman Drive). The combined appraised value is \$743,000. This bill provides for an initial escrow deposit of \$18,000, a payment at closing of \$582,000 and a zero-interest balloon mortgage of \$143,000 payable one year from the date the City approves the developer’s final site development (10 set) plans for the property. The mortgage is forgivable if, within 12 months of the approval of the development plans, the developer obtains a Certificate of Occupancy for the project as described in Exhibit 3. The developer intends to construct a vehicle repair shop on the site. The sale is also conditioned on the developer assuming all rights and responsibilities for the lease agreement current in force between the City and the Florida Department of Highway Safety and Motor Vehicles for the DMV’s lease of a building on one of the parcels. A public hearing is required by the Ordinance Code when a fire station is proposed to be closed or its use changed. That hearing was never held when Fire Station 31 was moved to the new location so is being held now. The Code as currently worded anticipates the Mayor proposing to close or repurpose a fire station and provides for him/her to initiate the public hearing process. The bill waives that provision to allow the City Council to initiate the hearing.

**Policy Impact Area:** Surplus property disposition

**Fiscal Impact:** Sale price of \$600,000 in cash and a \$143,000 mortgage, which is forgivable if the project is constructed and occupied within 2 years.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-230

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation; authorizing execution of memorandum of agreement and cooperation agreement; designating oversight agency

**Bill Summary:** The bill appropriates \$1,730,860.08 in unspent funds from the Hurricane Matthew Dune Restoration contractual services account to a Hurricane Irma Dune Restoration account to provide funding for post-Irma beach and dune repairs to be performed by the U.S. Army Corps of Engineers (ACOE). The bill authorizes the execution of several agreements to facilitate the project: 1) a memorandum of agreement between the City and ACOE for design and construction of the dune repair project; a cooperation agreement between the City and the federal government for a beach renourishment project; and 3) a lease agreement between the City and the federal Bureau of Ocean and Energy Management for use of sand from an offshore site under federal jurisdiction for the dune and beach restoration projects. The Engineering and Construction Management Division of the Public Works Department is designated as the City's oversight agency for the projects.

**Background Information:** Via Ordinance 2016-720-E the City Council appropriated \$7.5 million in borrowed funds for beach and dune restoration and sea oats replanting to repair the damage caused by Hurricane Matthew. Just over \$1.7 million remains from that appropriation, which is being reallocated by this ordinance to a new account to address the damages caused by Hurricane Irma in 2017. The Public Works Department interprets the recently passed federal budget bill to say that the federal government will fully cover the usual local share of the project cost for beach renourishment for damages caused by Hurricanes Harvey, Irma and Maria, so the City's only cost for this project will be for dune restoration. Jacksonville's beach damage from Irma is estimated at \$12.25 million, for which the federal government will pay the entire cost. The \$1.73 million appropriation will pay for dune restoration and sea oats replanting from the St. Johns County line northward to Hanna Park.

**Policy Impact Area:** Beach and dune repairs

**Fiscal Impact:** The bill appropriates \$1,730,860.08 in unspent funds from the Hurricane Matthew Dune Restoration.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-231

**Introducer/Sponsor(s):** Introduced by Council Member K. Brown

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 6, 2018

**Type of Action:** *Council Rules* amendment

**Bill Summary:** This bill amends Chapter 2 (Committees), Rule 2.102, (Standing Committee Duties), *Council Rules* to establish a standing budget committee made of 19 council members who will meet during July, August and September annually, review the annual budget bill and the 5 Year Capital Improvement Plan bill and report to the Council in a committee report the first regular Council meeting in September. The Chair of the Finance Committee will chair the Standing Budget Committee.

**Background Information:** *Council Rules* currently state that the Council President may request that standing committees participate in review, preparation, and recommendations of the budget for the City. A permanent change to the *Council Rules* requires adoption by a vote of 2/3 vote of all Council Members.

**Policy Impact Area:** Standing Budget Committee

**Fiscal Impact:** None

**Analyst:** Hampsey



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**Bill Type and Number:** Ordinance 2018-232

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation and designation of oversight agency

**Bill Summary:** This bill is an appropriation of \$406,000 from the Loblolly Wetlands Mitigation fund to provide funding for capital improvements to parks in each of the 14 Council Districts. The funds appropriated in this ordinance shall carryover to subsequent fiscal years and must be committed before June 30, 2019. The Department of Parks, Recreation and Community Services will oversee the project.

**Background Information:** According to Section 111.780 *Ordinance Code*, any remaining Loblolly Wetlands Mitigation funds may transfer to a revenue account for the purposes of capital improvements and land acquisition for conservation and park uses. The purpose of this appropriation is to provide funding for capital improvements to parks in each of the 14 Council districts in accordance with Section 111.780, *Ordinance Code*.

**Policy Impact Area:** Capital improvements to parks in each of the 14 Council districts

**Fiscal Impact:** Appropriation of \$406,000 from the Loblolly Wetlands Mitigation fund

**Analyst:** Hampsey

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**Bill Type and Number:** Ordinance 2018-233

**Introducer/Sponsor(s):** Introduced by Council Member Crescimbeni

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 6, 2018

**Type of Action:** *Council Rules* amendment

**Bill Summary:** This bill amends Rule 4.103 (Special Meetings), Chapter 4 (Procedures), *Council Rules* to remove the Mayor's authority to call or cancel a special meeting of the Council.

**Background Information:** This legislation amends *Council Rules* to permit only the Council President, or seven or more council members, to call or cancel a special meeting of the Council in writing, with no less than 24 hours' notice, and with the specific meeting purpose clearly stated. The rule authorizing the Mayor to call a special meeting of the Council has existed since at least the 1970's.

**Policy Impact Area:** Special Meetings of the Council

**Fiscal Impact:** None

**Analyst:** Hampsey

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**Bill Type and Number:** Ordinance 2018-234

**Introducer/Sponsor(s):** Introduced by Council Member Dennis

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Authorization of property transfer and designation of oversight agency

**Bill Summary:** This bill authorizes the Mayor to execute and deliver the City's quitclaim deed for 1011 Powhattan Street, "as is, where is, and with all faults", accept delivery of a limited warranty deed for 601 James Street and the 15-year note and mortgage, in form and substance acceptable to the Mayor and Office of General Counsel, to secure repayment to City of the funds expended by City under the provisions of the Limited Repair Program for the rehabilitation of 1011 Powhattan Street, and to take, or cause to be taken, further action to accomplish the purpose of this ordinance including such due diligence as to title, survey, and environmental assessment as deemed appropriate. This ordinance declares the 1011 Powhattan Street property surplus to the City's needs and exempts the disposition of 1011 Powhattan Street (RE Number 076391-0000) from the real property disposition procedures established in Chapter 122, Part 4, Subpart B, and Part 4, Subpart F, *Ordinance Code*. The Housing and Community Development Division of the Neighborhoods Department shall provide oversight and administration of the exchange and closing documents.

**Background Information:** The City of Jacksonville is the owner of an approximately .16 acre improved parcel with an assessed just value of \$47,999 located at 1011 Powhattan Street near the intersection at Acorn Street, 32209. The City acquired the 1011 Powhattan Street property as a result of recorded security agreements and the property has been rehabilitated under the provisions of the City's Limited Repair Program to meet Housing Quality Standards and be compliant with the City's Municipal Code requirements.

Inell J. Reid is the owner of an approximately .17 acre improved property with an assessed just value of \$37,981 located at 601 James Street south of the I-10 Expressway in the 32205 zip code. Ms. Reid has offered to exchange her irremediable property for the remediated City property located at 1011 Powhattan and to pay the City the amount expended by the Limited Repair Program to remediate the City's property in the form of a zero percent non-amortizing, forgivable mortgage and note for a period of 15 years.

**Policy Impact Area:** Remediated property transfer

**Fiscal Impact:** No direct cost to the City

**Analyst:** Hampsey

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**Bill Type and Number:** Ordinance 2018-235

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 11, 2018

**Type of Action:** Authorization and approval of redevelopment agreement, mortgage modification agreement, amendment to promissory note, designation of oversight agency

**Bill Summary:** This bill authorizes and approves the amendment to Redevelopment Agreement, Mortgage Modification Agreement, Amended and Restated Promissory Note and related loan documents pertaining to the Laundry Station Dry Cleaners & Launderers, Inc., formerly known as The Soap Bubble Laundromats, Inc. located at 8110 Lem Turner Rd., Jacksonville, Florida 322208. The Office of Economic Development will provide oversight.

**Background Information:** In 2001, the Northwest Jacksonville Economic Development Fund Advisory Board approved the funding of The Soap Bubble Laundromats (now called the Laundry Station Dry Cleaners & Launderers) with a grant for the project in the amount of \$127,641 and a loan for the Project in the amount of \$122,359, which was then approved by City Council. The Project is complete and operational and the maturity date of the loan is May 2, 2018, at which time an approximate balloon payment of principal and interest is due in the amount of \$38,512. However, the developer is unable to make the balloon payment at that time, but is up to date on all reporting requirements as set forth in the Redevelopment Agreement. The remaining principal balance on the loan as of May 2, 2018 is approximately \$38,415.94 and the Northwest Jacksonville Economic Development Fund Board approved re-amortizing the loan principal balance and extending the term of the loan for a period of four years.

The conditions of the modification agreement are: (a) the guarantors of the loan shall be required to execute and deliver to the City an Acknowledgement and Consent of Guarantor in a form approved by the General Counsel, or his designee, and the Mayor, or his designee, (b) the Developer shall be required to execute and/or deliver to the City such additional closing documents and title insurance endorsements as may be required by the General Counsel, or his or her designee, and the Executive Director of the Office of Economic Development to protect the City's interests, and (c) the Developer shall be required to pay all closing costs, including title and recording fees and documentary stamp taxes, if any. The Director of the Office of Economic Development is authorized to approve "technical amendments" to the agreement which do not change the financial obligations between the parties.

**Policy Impact Area:** Northwest Jacksonville Economic Development Fund-mortgage modification agreement

**Fiscal Impact:** No direct cost to the City; delays the balloon payment requirement by four years

**Analyst:** Hampsey

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**Bill Type and Number:** Ordinance 2018-236

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 111 – Special Revenue and Trust Funds – to create a new Sec. 111.601 – Tourist Development Donations and Sponsorships Special Revenue Fund - to receive donations, gifts and sponsorship monies intended to defray cost and expenses related to services to be provided under the auspices of the City’s Tourist Development Plan.

**Background Information:** The TDC has recently encountered several instances in which third party contributions to TDC-funded activities proved somewhat problematic to accept and allocate to the appropriate function in a timely and efficient manner. This special revenue fund is being created to facilitate a more streamlined process for third parties (i.e. other governmental entities, event sponsors, etc.) acting as partners, co-sponsors, etc. to make financial contributions to TDC activities rather than providing funds directly to TDC contract vendors, which funds are in reality offsets to TDC contractual obligations.

Expenditures from the new special revenue fund must be made in accordance with the City Council’s adopted Tourist Development Plan and the TDC’s annually adopted budget. The section provides for automatic carry-over of deposited funds to future fiscal years and provides that expenditures shall be recommended by the TDC Executive Director and approved by the full TDC board, then processed by the Director of Finance and Administration upon written request of the TDC Executive Director.

**Policy Impact Area:** TDC operations

**Fiscal Impact:** The intent of the new section is to provide a more timely and efficient means of receiving and expending third-party funds for authorized TDC activities.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-237

**Introducer/Sponsor(s):** Council Member K. Brown

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Removal of grant recipients from non-compliance list; budget ordinance amendment

**Bill Summary:** The bill directs the Council Auditor to remove Abyssinia Missionary Baptist Church Ministries, Inc., from its grant non-compliance list and to replace it with Apel Health Services Center, Inc., which is actually the grant recipient under the City contracts that is in non-compliance. It waives and forgives the audit report requirements of that agency's grant agreements with the City and ratifies any expenditures made by the agency under the City Public Service Grant contract. The Council Auditor is directed to remove Apel Health Services Center, Inc. from the non-compliance list. The bill amends Second Revised Schedule A-2 (Schedule of Public Service Grants for Fiscal Year 2006-2007) to the FY2006-07 budget ordinance to delete the reference under the Mental Health and Welfare Division grant listings to "Abyssinia Missionary Baptist Church – APEL Health Services" and replace it with "Apel Health Services Center, Inc."

**Background Information:** The Council Auditor's Office in its review of the compliance of Public Service Grant recipients with auditing and reporting requirements uncovered a confusing situation arising from the PSG process in FY2006-07. An award was made to an application jointly listing Abyssinia Missionary Baptist Church Ministries, Inc.-Apel Health Services Center. When Abyssinia Missionary Baptist Church did not submit the required audit the next year it was placed on the non-compliance list, when in fact the funds actually were expended by Apel. Abyssinia Baptist has been on the non-compliance list since then, but apparently has not applied for City funding or recognized that it was listed as non-compliant. The Auditor's Office has now recognized that Apel should have produced the audit in 2007 or been listed as non-compliant for that grant. This bill forgives the audit submission requirement for Apel and directs that the agency be removed from the non-compliance list.

**Policy Impact Area:** Grant recipient compliance

**Fiscal Impact:** Removal from the non-compliance list would make Apel Health Services Center eligible to apply for City grant programs.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-238

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Authorization to execute intergovernmental agreement; authorization to execute maintenance agreement; designation of oversight agency

**Bill Summary:** The bill authorizes the execution of a Community Aesthetic Feature Agreement with FDOT for the design, installation and maintenance of a mosaic art project on the S-Line Urban Rail Trail under the I-95 overpass of West 13th Street in Jacksonville. It also authorizes the execution of a purchase agreement and maintenance agreement between the City of Jacksonville and Groundwork Jacksonville (Groundwork) for the cleaning and maintenance of the mosaic art piece no less than twice a year at Groundwork's expense. The bill provides that the City shall not execute the Community Aesthetic Feature Agreement until the maintenance agreement between the City of Jacksonville and Groundwork is executed. The Department of Parks, Recreation and Community Services is designated as the City's oversight agency for the project.

**Background Information:** Groundwork will be responsible for all costs associated with the Project, including cost of the design, development and installation of the Project, ongoing maintenance of the Project, and will also set aside funds in the amount of \$2,250 (10% of the project cost) for future maintenance, and will follow the recommendation of the Art in Public Places committee to comply with Chapter 129, Part 9, requirements. Funding will be a combination of grant awards, private donations and in-kind services. Any contract entered into between the City and Groundwork shall have a term concurrent with the Community Aesthetic Feature Agreement, including any such renewal periods. The original term in the agreement with FDOT is 40 years. The City of Jacksonville may terminate the FDOT agreement if the City or Groundwork is unwilling to continue the maintenance of the mosaic project as outlined in the Community Aesthetic Feature Agreement.

**Policy Impact Area:** Public art installation and maintenance

**Fiscal Impact:** None to City; Groundworks Jacksonville will pay for the cost of creation and installation of the artwork and commits to annual funding of \$2,250 for continuing maintenance.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-239

**Introducer/Sponsor(s):** Introduced by Council Member Boyer

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation CIOP amendment, designation of oversight agency

**Bill Summary:** This bill is an appropriation of \$150,000 from the Florida Boater's Improvement Project to a newly created account called Hood Landing Boat Ramp Repair- Phase II. The 2018-2023 Five-Year Capital Improvement Program for the City and certain of its independent agencies, is amended to add funding for the project entitled "Hood Landing Boat Ramp Repair and Replacement". The Department of Parks, Recreation and Community Services will oversee the project.

**Background Information:** The purpose of this legislation is to provide funding from the Florida Boater Improvement Project Fund for Phase II of the Hood Landing Boat Ramp Repair and Replacement Project. The Project consists of:

Removal and replacement of two concrete floating docks	\$60,000
A new gangway	\$15,000
Construction of the East pier	\$30,000
Repairs to the boat ramp	\$15,000
Parking lot repairs	\$25,000
Lighting repairs	\$5,000
<b>Total</b>	<b>\$150,000</b>

The Hood Landing Boat Ramp was damaged during Hurricanes Matthew and Irma. Deferral of this amendment of the CIP until the next annual budget and CIP review will be detrimental to the community because the public will not be able to utilize the boat ramp and facilities at Hood Landing. The existing facilities are not functional due to damage from Hurricanes Matthew and Irma.

**Policy Impact Area:** Hood Landing Boat Ramp

**Fiscal Impact:** Appropriation of \$150,000

**Analyst:** Hampsey



## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Resolution 2018-240

**Introducer/Sponsor(s):** Council President at the request of the Jacksonville Housing Finance Authority

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Authorization to issue homeowner mortgage revenue bonds; authorizing application for private activity bond volume cap allocation; determining no pledge of City credit

**Bill Summary:** The bill authorizes the issuance by the Jacksonville Housing Finance Authority of up to \$50 million in homeowner mortgage revenue bonds to finance the purchase or rehabilitation of new or existing single family homes in Jacksonville, or for the purpose of refunding previously issued mortgage bonds. It authorizes the JHFA to apply to the state for an allocation of the private activity bond volume cap for the Northeast Florida region and determines that the City is not pledging its credit to the bonds, which shall not be deemed to constitute a debt, liability or obligation payable from the City's general revenues.

**Background Information:** The bill would authorize the JHFA to make application to the Florida Division of Bond Finance for an allocation of private activity bond volume cap from the regional pool in which our county participates, without having a specific use in mind at this time. The funds when allocated could then be made available to interested lenders to originate reduced-interest mortgages for home purchases or home renovations in Jacksonville, or could be converted to other eligible affordable housing purposes. According to the Housing and Community Development Division, because of the historically low interest rates in recent years, use of these bonds to provide lower interest rates for homebuyers has not been necessary, so they have been subsequently converted to multi-family uses or for Mortgage Credit Certificates for homebuyers. The language regarding mortgage-backed securities is included in the authorization because that is generally how mortgages are handled in the marketplace – loans originated by banks are bundled into mortgage-backed securities and sold for investment purposes. The language in the authorization allows mortgages assisted with these bonds to be treated in that manner.

**Policy Impact Area:** Affordable housing

**Fiscal Impact:** No financial liability to the City; debt service on the bonds is the responsibility of the borrower.

**Analyst:** Clements

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**Bill Type and Number:** Resolution 2018-241

**Introducer/Sponsor(s):** Council President at the request of the Jacksonville Housing Finance Authority

**Date of Introduction:** April 10, 2018

**Committee(s) of Reference:**

**Date of Analysis:** April 12, 2018

**Type of Action:** Authorization to issue multifamily housing revenue bonds

**Bill Summary:** The bill authorizes the issuance by the Jacksonville Housing Finance Authority (JHFA) of its multifamily housing revenue bonds in an amount not to exceed \$14,200,000 on behalf of Caroline Arms Preservation, Ltd. to fund acquisition and restoration of the Caroline Arms Apartments as affordable housing for persons of low, middle or moderate income.

**Background Information:** The Caroline Arms Apartments are located at 6457 Fort Caroline Road in Arlington. The project will consist of renovations to produce approximately 204 units of affordable housing, and the total project cost is estimated at \$22,727,210, of which the JHFA bonds would represent 62.4%. The acquisition cost for the complex is \$11.75 million, construction costs are \$5.6 million, general development costs are \$773,401, the developer's fee is \$3,246,716, and the remainder is financial costs, contingency reserves, and the like. The developer's equity investment is \$6.5 million.

**Policy Impact Area:** Affordable housing production

**Fiscal Impact:** None to the City; responsibility for all debt service lies with the borrower.

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-242

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 11, 2018

**Type of Action:** Resolution

**Bill Summary:** This bill is a resolution recognizing the unique quality of owning an electric and water authority and encouraging JEA and the Mayor to proceed with review and study of the potential sale of JEA.

**Background Information:** JEA is the City's community-owned utility, the eighth largest community-owned electric company in the United States and the largest in Florida, serving more than 458,000 electric customers, 341,000 water customers and 264,000 sewer customers. Pursuant to an agreement with the City, JEA currently contributes \$116 million dollars to the City annually.

However, the sale of JEA could net billions of dollars that could be used to establish a more sound financial position for the City for decades. Part 3, Chapter 21, *Ordinance Code* stipulates that services provided by the Consolidated Government should be delivered in the most expeditious and efficient manner possible with delivery of said services being continually evaluated so that inefficiency is eliminated and quality of services improved. The Mayor, under the Charter, as the chief executive and administrative officer may, from time to time, exercise that continual review to determine if it is desirable to consider the privatization of a department, division, or essential public function. If that review determines that it is in the best interest of the entire community to consider the privatization, the Mayor should create and provide to the Council a privatization plan.

Article 21, *Charter*, provides for JEA to present any plan for the sale of more than 10% of JEA to the Council. In 2011, the Florida Legislature requested a five-year review of state agencies including the possibility of privatization of state services. The policies of the City and the State encourage review of potential privatizations by appropriate executive and administrative officers and agencies. JEA has begun the process of evaluating the potential privatization of some or all of its services, so should it be determined that there is a benefit to the community to sell all or part of JEA, the Council encourages JEA and the Mayor to present such a proposal to the Council for its consideration.

**Policy Impact Area:** Potential sale of JEA

**Fiscal Impact:** Undetermined

**Analyst:** Hampsey

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**Bill Type and Number:** Resolution 2018-246

**Sponsor:** Council President Brosche

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 10, 2018

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Council President's appointment of Ann R. Mackey, as a member of the Public Service Grant Council with grant experience, filling the seat formerly held by Darren R. Gardner for a first full term ending December 31, 2020.

**Background Information:** The Public Service Grant Council is established pursuant to Chapter 80, *Ordinance Code*, and charged to review and assess the annual needs of the City for public services for a program not otherwise funded by City funds; recommend Priority Populations or Needs to the City Council; recommend the process by which recipients of Public Service Grants are selected each year; submit for review an appropriation request for Public Service Grants for the upcoming fiscal year; review, evaluate and score each Public Service Grant application; participate in on-site evaluations of recipient programs; attend orientation sessions the annual training course, ethics, public records and open meeting laws training; and award and allocate the annual lump sum appropriation for Public Service Grants contained in the annual budget ordinance.

Ms. Mackey received a bachelor's degree in political science and economics from Vanderbilt University. She is a Chartered Accountant and Engagement Partner with *Tatum CFO Partners*. Ms. Mackey serves on a number of community organizations including Uptown Civitan Jacksonville and the Jacksonville Women's Network. She resides within Council District #14.

**Policy Impact Area:** Public Service Grant Council operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Shoup

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**Bill Type and Number:** Ordinance 2018-248

**Introducer/Sponsor(s):** Introduced by Council Members Love, Gaffney and Morgan

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 11, 2018

**Type of Action:** Resolution

**Bill Summary:** This bill expresses City Council's opposition to the sale of JEA at this time.

**Background Information:** For more than a century, JEA has responded to the needs and growth of Jacksonville with a utility operated at a local level. Recent hurricanes and other natural disasters throughout the country have highlighted the value of a utility is highly responsive to local needs, and a large investor-owned utility company serving large swaths of Florida and/or other East Coast states also affected by disasters, is unlikely to give the city such a high priority for power restoration in comparison to JEA.

In addition to disaster response, there is additional value to JEA's community presence: 1) JEA employs over 2000 employees locally; 2) JEA has a downtown headquarters; 3) JEA board meetings are open to the public and afford public comment periods; 4) JEA annually submits its budget to the City Council and the locally elected officials scrutinize the budget and capital programs; 5) electric, water, and sewer rates are set locally by the JEA board and not the Public Service Commission in Tallahassee; and 6) JEA's Neighbor to Neighbor Program assists those in need with utility bill assistance.

JEA also contributes monetarily and through partnerships with the City of Jacksonville and makes an annual contribution to the City of Jacksonville's general fund, \$116,629,815 in fiscal year 2017-2018. Since 1997, JEA has invested over \$3 billion to improve the City Water/Sewer utility, contributed \$15,000,000 to be used in conjunction with a \$15,000,000 match from the City for water and sewer infrastructure, transferred 30.34 metric tons of Total Nitrogen Water Quality Credits to the City (valued at \$2,086,767 per year), and committed to contributing a maximum annual amount of \$1,000,000 for sewer projects that the City undertakes to meet its environmental obligations. The discussion on the sale of JEA has caused uncertainty for the JEA workforce, rate payers and community stakeholders and assessing the JEA assets and liabilities to ascertain the viability of the sale of JEA would require a significant amount of resources. For of the above listed reasons, Council will not be support the sale of JEA at this time.

**Policy Impact Area:** Potential sale of JEA

**Fiscal Impact:** Undetermined

**Analyst:** Hampsey

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**Bill Type and Number:** Resolution 2018-249

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 10, 2018

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of David W. Ward as a member of the Planning Commission, replacing R. Abel Harding as the Planning District #1 representative, for a term ending September 30, 2020.

**Background Information:** The Planning Commission is established pursuant to Chapter 30, Part 2, *Ordinance Code*, and charged to review proposed land use changes, text changes to the Comprehensive Plan, requests for exceptions, variances and waivers to the Zoning Code, appeals from written orders granting or denying an administrative deviation and written interpretations of the Zoning Code and final orders of the Cell Tower Review Committee and other matters related to land use and area planning which are referred to the Department or to the Commission pursuant to law; review and make recommendations to the Council on proposed changes to the Zoning Code, the Code of Subdivision Regulations and other land development regulations or amendments thereto, and with respect to all rezonings; review and make recommendations on plans and programs developed by the Planning Department; and serve as the local planning agency per 163.3174, F.S. and prepare the comprehensive plan.

Section 30.201(a), *Ordinance Code*, provides that the nine members of the Planning Commission shall be residents appointed by the Mayor and confirmed by the Council, including one member residing in each City Planning District.

Mr. Ward received a law degree from the Florida State University College of Law. He is the Chief Legal Officer at *iMobile3, LLC* and the Managing Partner at *Artes Law, LLC* and *Vires Strategy, LLC*. Mr. Ward resides within City Council District #7 (Planning District #1).

**Policy Impact Area:** Planning Commission operations

**Fiscal Impact:** Anticipated to be minimal.

**Analyst:** Shoup

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**Bill Type and Number:** Ordinance 2018-250

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 11, 2018

**Type of Action:** Appropriation and CIP amendment

**Bill Summary:** This bill is an appropriation of \$700,000 to purchase two new above ground fuel tanks, relocate an existing fuel tank and repair and resurface asphalt at the Fleet Management facility.

**Background Information:** After the past two hurricane seasons, it became clear that the City needs additional onsite fuel storage capacity. This legislation appropriates \$700,000 from General Fund balance to the Capital Projects subfund 32E to establish and fund a CIP project that will add two 20,000 gallon above ground fuel tanks, relocate an existing 10,000 fuel tank and repair and resurface asphalt at the Fleet Management facility to better prepare for future storms or disasters. The 2018-2022 Five-Year Capital Improvement Program is amended to provide funding for the project entitled "Fleet Management – Fuel Storage and Asphalt Repair" and the enactment of this ordinance requires the affirmative vote of two-thirds of the Council members present at the meeting. Deferral of this amendment of the CIP until the next annual budget and CIP review will be detrimental to the best interests of the community because additional fuel storage capacity for emergency incidents are needed before the 2018 hurricane season.

**Policy Impact Area:** Fleet Management fuel tanks and facility

**Fiscal Impact:** \$700,000 appropriated from General Fund balance

**Analyst:** Hampsey

# CITY COUNCIL RESEARCH DIVISION

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**Bill Type and Number:** Ordinance 2018-251

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

**Date of Introduction:** April 10, 2018

**Committee(s) of Reference:** NCSPHS, F, JWW

**Date of Analysis:** April 12, 2018

**Type of Action:** Appropriation; fiscal year carryover authorization

**Bill Summary:** The bill appropriates \$89,000 from the City Council Special Contingency for JSO Hiring to a Public Works Department capital projects account to provide funding for hiring of a surveyor to provide cross-section surveys of McCoy's Creek from the mouth of the creek inland to Cherokee Street, and along a tributary of McCoy's Creek northward from Leland Street to the railroad tracks south of Beaver Street. The funds are authorized to carry-over into fiscal year 2018-19.

**Background Information:** The appropriation is intended to facilitate the Groundworks Jacksonville plan for restoration and improvement of McCoy's Creek by providing funding for cross-section surveys at 100 foot intervals along the length of the creek. The information will help inform Groundworks' planning process for the McCoy's Creek project as part of the larger Emerald Necklace concept to connect and activate Hogan's Creek and McCoy's Creek around the downtown area for public use by means of waterways improvements, walking trails and greenways. The funds designated in the Special Council Contingency for JSO to hire new officers in this year's budget will not be used. Therefore, the request is to appropriate the unused funds to cover the expense of this survey.

**Policy Impact Area:** Waterway restoration

**Fiscal Impact:** The bill appropriates \$89,000 from the City Council Special Contingency for JSO Hiring

**Analyst:** Clements



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**Bill Type and Number:** Resolution 2018-252

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

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 12, 2018

**Type of Action:** Expression of support

**Bill Summary:** The bill expresses the City's support for an honorary naming of a portion of University Boulevard North in Arlington as "Jim Tullis Memorial Boulevard" in memory of former City Council Member, State Representative and civic activist Jim Tullis.

**Background Information:** The 2018 Florida Legislature adopted Senate Bill 382 naming the portion of University Boulevard from Fort Caroline Road at the north to Clifton Avenue (south of the Arlington Expressway) in the south in memory of Jim Tullis who lived almost all of his life in the Clifton area. Florida Statutes require that a city or county in which such a roadway is designated must pass a resolution in support of the designation before the Florida Department of Transportation will erect the honorary naming signage. This bill "strongly supports" the designation of the roadway for former Councilman Tullis.

**Policy Impact Area:** Honorary roadway designation

**Fiscal Impact:** None to City

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2018-253

**Introducer/Sponsor(s):** Introduced by Council Member Gulliford

**Date of Introduction:** April 10, 2018

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

**Date of Analysis:** April 11, 2018

**Type of Action:** Authorization of extension agreement

**Bill Summary:** This bill extends the City's Opioid pilot program through September 30, 2018, authorizes an extension agreement with the designated service providers, and provides for new agreements with two additional emergency departments.

**Background Information:** In November of 2017, the City-sponsored six month Opioid pilot program began. The purpose of this legislation is to extend the program through September 30, 2018 and add two additional designated Emergency Departments. The aim of the extension is to provide the same specialized services by healthcare providers to reduce overdose deaths and dependence on opioid drugs through targeted treatment programs and to provide for continuing and intermediate care after treatment. The pilot program was scheduled to run from November 16, 2017 through May 15, 2018. Due to cost savings and efficiencies in management, there is funding available to extend the program from May 16, 2018 through September 30, 2018.

The Mayor, or his designee, is authorized to execute an extension agreement with Gateway Community Services and the two Designated Emergency Departments for extended services and new agreements with two additional Designated Emergency Departments for continuing treatment and intermediate care, along with all other contracts and documents and otherwise take all necessary action in accordance with the Scope of Services, subject to appropriate legal review and approval by the General Counsel, or his or her designee, and the City's Risk Management Division. Pursuant to Section 126.107(g), Part 1, Chapter 126, *Ordinance Code*, procurement for the service provider contracts is exempted from competitive solicitation because the supplies or services are to be provided by those specifically prescribed within authorizing legislation that appropriates the same.

**Policy Impact Area:** Opioid pilot program

**Fiscal Impact:** No new funds required, existing appropriated funds are sufficient

**Analyst:** Hampsey