

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2008-68

Sponsor: Council Member Lee

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 14, 2008

Type of Action: Amendment to Council Rules

Bill Summary: The bill amends Council Rule 3.103 –Introduction of Bills – to remove the provision authorizing the Chief of Legislative Services to automatically add the names of all council members as co-sponsors of resolutions honoring and commending a persona or group or declaring a commemorative day, week or month.

Background Information: The sponsor does not believe that it is good practice to add council members' names as co-sponsors to legislation without each council member's express permission in the event that a member may not wish to have his or her name attached to resolution which they do not support. The automatic co-sponsor provision was added several years ago to simplify the former process of council members informing the Chief of Legislative Services in writing or by e-mail of their desire to co-sponsor a particular resolution. Frequently such resolutions ended up being amended on the floor at the time of final passage to add all council members' names as sponsors.

Policy Impact Area: Legislative bill drafting.

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-87

Sponsor: Council Member Hyde

Date of Introduction: February 12, 2008

Committee(s) of Reference: F, PHS

Date of Analysis: February 14, 2008

Type of Action: Declaration of priority populations for Public Service Grants

Bill Summary: The bill declares the following Priority Populations to be targeted for assistance in the FY2008-09 Public Service Grant process:

- Homeless and low-income persons and families
- Victims of abuse and neglect
- Adults with physical, mental and behavioral disabilities
- Residents of neighborhoods at high risk of crime

Background Information: The recent revision to Ordinance Code Chapter 118 – Public Service Grant Criteria – provides that the Council shall, on or before January 15 of each year, establish one or more “priority populations” to be specifically targeted for assistance through the public service grant process. This information will be provided to the Public Service Grant Committee to guide its review of PSG applications and funding decisions, which will be presented to the City Council for approval during the annual budget process.

Policy Impact Area: Public service grant funding

Fiscal Impact: The amount of public service grant funding to be made available for the FY08-09 fiscal year will be proposed by the Mayor in his annual budget submission and determined by the Council during its budget deliberations.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-88

Sponsor: Council Member Hyde

Date of Introduction: February 12, 2008

Committee(s) of Reference: F, PHS

Date of Analysis: February 14, 2008

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code chapter 118 – Public Service Grant Appropriations – to change the date by which the City Council must adopt its annual declaration of Priority Populations from January 15th to February 15th (with an extension to March 15th for 2008 only), and changes the date for the commencement of the 3-year terms of the Public Service Grant Council members from January 1 to April 1. The bill provides an exception to the 3-year maximum funding rule for programs that deliver services determined to be an essential function that would otherwise be performed by the City. The bill also provides for public service grants to be made to public or governmental agencies in addition to private agencies. The bill also provides that the 24% limitation on public service grant funding as a percentage of a recipient agency's budget shall be calculated as an average figure over the 3 previous years. Finally, the bill adds a provision requiring that public service grant recipients be performing services or operating programs in Duval County.

NOTE: The bill may need correction of scrivener's errors on page 4, lines 18 – 21, where paragraph 118.203(b) appears to be duplicated, and on page 4, lines 29 – 30 where previously existing language is underlined as new language.

Background Information: The bill makes further refinements and clarifications to the re-write of Chapter 118 passed in January to recognize the different types of agencies and programs that are funded by public service grants and to provide for a revised timetable for implementation of the grant council and the Council's adoption of priority populations for the first year of operation of the new system.

Policy Impact Area: Public service grant processing and approval

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2008-89

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$60,000 from the Mayor's Early Literacy Program to provide funding to the Don Brewer Center Early Literacy Program for the childcare director's training initiative program.

Background Information: The childcare director's training initiative is a program under the purview of the Mayor's Early Literacy Partnership and is designed to improve the management skills of directors at early learning centers as a means to improve the overall quality of the centers.

Policy Impact Area: Early Literacy; Child Services

Fiscal Impact: \$60,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-90

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$36,297 from the Subsidies and Contributions to Private Organizations account of the Jacksonville Children's Commission (JCC) to the JCC Training Dept. to allow the JCC to assume responsibility for the screening and training of volunteers serving as mentors in Duval County. Authorization is given for 836 temporary hours.

Background Information: Kessler Mentoring Connection has been providing background screening (including fingerprinting) and training services under contracts with the City, and it has requested that it be relieved of this responsibility. The balance of funds left for such Kessler contracts is being transferred to the JCC Training Dept.

Policy Impact Area: Mentoring; Child Services

Fiscal Impact: \$36,297 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-91

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$2,500 in private funds donated by Wal-Mart Stores, Inc., to the Recreation and Community Services Dept. for educational programming at Kids Kampus. Provision is made for the carryover of appropriated funds into the 2008-2009 fiscal year.

Background Information: Funds are to be used for the purchase of needed materials and supplies.

Policy Impact Area: Recreation and Community Services; Child Services

Fiscal Impact: \$2,500 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-92

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 13, 2008

Type of Action: Allocation of Revenues

Bill Summary: This bill allocates \$422,594.40 in revenues from developments of regional impact (DRI) for Employer-Assisted Downpayment Assistance Funds (EADAF) programs to St. Johns Town Center DRI-EADAF Reserves Account (\$202,435.95), Bartram Park DRI-EADAF Reserves Account (\$18,158.45), and Nocatee DRI-EADAF Reserves Account (\$202,000.00). Provision is made for the carryover of funds from year to year, without lapse.

Background Information: The Housing and Neighborhoods Dept. is to manage these Employer-Assisted Downpayment Assistance Funds. Funds were originally deposited into the Concurrency Management System operating account and subsequently transferred to Fund Balance at the end of each fiscal year.

Policy Impact Area: Affordable Housing; Developments of Regional Impact

Fiscal Impact: \$422,594.40 is allocated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-93

Sponsor: Council President at the Request of the State Attorney's Office

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$8,916.66 from a Recording Fees Technology account to the State Attorney's Technology Fund for the purchase of computer equipment. The State Attorney's Office is given oversight of the project. Provision is made for the carryover of appropriated funds into the 2008-2009 fiscal year.

Background Information: The computer equipment was to have been purchased in 2007, but funding for the purchase reverted to the Recording Fees Technology fund balance at the end of the year when the purchase requisition for the equipment was erroneously cancelled by the Procurement Division. The bill states that the Courts and the Office of the Public Defender, which share funds in the account, have agreed to this transfer.

Policy Impact Area: State Attorney's Office; Recording Fees Technology Account

Fiscal Impact: \$8,916.66 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-94

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$10,000 in private funds donated by Fireman's Fund Insurance Company to the Jacksonville Fire and Rescue Dept. Authorization is given for the Mayor to accept the grant. Approval is given for a Grant Compliance Agreement with Fireman's Fund Insurance Company, with the Mayor and Corporation Secretary being authorized to execute same. Further, the Mayor and Corporation Secretary are authorized to execute other necessary documents for receipt of the grant funds.

Background Information: The Fire and Rescue Dept. was awarded this \$10,000 private sector grant for the purchase of thermal imaging cameras and equipment for fire stations. Through this legislation, the Council states its finding that the grant should be accepted and all contracts and other documents should be executed to allow for receipt of the funds.

Policy Impact Area: Fire and Rescue; Grants

Fiscal Impact: \$10,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-95

Sponsor: Council President at the request of the Jacksonville Economic Development Commission:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 15, 2008

Type of Action: Development Agreement Amendment Authorization

Bill Summary: This ordinance approves and authorizes the execution by the City of Jacksonville and the Jacksonville Economic Development Commission of a (1) First Amendment to the Economic Development Agreement among the South Shore Group Partners, LLC (“Developer”), the City and the JEDC dated December 7, 2005, approved by Ordinance 2005-788-E, and (2) First Amendment to the Allocation of Development Rights Agreement between the developer and JEDC dated December 7, 2005, also approved by Ordinance 2005-788-E, providing for up to a three-year extension of certain construction deadlines for the condominium tower project known as the “St. John” located on the South Bank of the St. Johns River downtown; providing for the execution of any and all documents relating to the amendments; providing for oversight by the JEDC.

Background Information: The Economic Development Agreement entailed the developer, South Shore Partners, LLC, constructing 300 residential units and 50,000 square feet of retail at the Aetna parcel located at 841 Prudential Drive. The developer proposed to construct a Riverwalk fronting the site and to provide public access from Prudential Drive to the Riverwalk. The Developer indicates that market conditions do not allow for the successful development of residential units in the downtown area until market conditions improve; the developer further indicates that they cannot construct the public improvements (Riverwalk) until the residential project is feasible and under construction. This legislation would extend the construction deadline to December 7, 2009, with an extension option of one additional year.

Policy Impact: Economic Development/JEDC/South Bank

Fiscal Impact: Minimal

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-96

Sponsor: Council President at the request of the Jacksonville Economic Development Commission:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 15, 2008

Type of Action: Economic Development Agreement Approval

Bill Summary: This ordinance approves and authorizes the execution of an Economic Development Agreement between the City of Jacksonville, the Jacksonville Economic Development Commission and Bodytel Scientific, Inc. ("developer"), to support the relocation of both developer's North American headquarters from Henderson, Nevada and their world headquarters from Bad Wildungen, Germany to Jacksonville; the ordinance recommends that the developer be approved by the State of Florida's Office of Tourism, Trade and Economic Development as a Qualified Target Industry ("QTI"); that the City evidence a commitment of local support in an amount not to exceed \$13,000 as the Local Financial Support under the QTI Tax Refund Program payable over multiple years per OTTED guidelines, with a State match of \$52000, for a total State and City QTI amount of \$65,000 for 13 jobs.

Background Information: Incorporated in 2006, BodyTel Scientific is a German-American Telehealth company that specializes in telemedical monitoring and management systems for chronic illnesses. BDYT proposes to relocate its world headquarters to the Modis Building in downtown Jacksonville and to create 13 new full-time jobs. The developer proposes to invest \$150,000 to develop its headquarters in the Modis Building (furniture, fixtures, and equipment and tenant leasehold improvements. The expected average wage for the new 13 jobs would be \$72,500. There are clawbacks in the Development Agreement in the event that the developer does not create the committed number of new jobs at the specified salaries and on the committed deadline. The Modis Building is located in Council District 4.

Policy Impact: Economic Development/Jacksonville Economic Development Commission

Fiscal Impact: The ordinance approves and economic development agreement that would commit the City to \$13,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-97

Sponsor: Council President at the request of the Jacksonville Economic Development Commission:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 15, 2008

Type of Action: Economic Development Authorization

Bill Summary: This ordinance approves an Economic Development Agreement between the City, the Jacksonville Economic Development Commission and IBA PT Inc (“developer”), that provides for the relocation of the developer’s North American headquarters operations from Edgewood, New York to Jacksonville. The ordinance recommends that the developer be approved by the State of Florida’s Office of Tourism, Trade and Economic Development as a Qualified Target Industry (“QTI”). The Agreement commits the City to an amount not to exceed \$20,000 as evidence of local financial support under the QTI Tax Refund Program payable over multiple years per OTTED guidelines. The Agreement stipulates a State match of \$80,000, for a total City and State QTI amount of \$100,000 for 20 jobs.

Background Information: IBA PT, Inc. (IBA) is a 20-year-old multinational radiotherapy company whose corporate headquarters is Brussels, Belgium, and whose North American headquarters is in Edgewood, NY. The company proposes to relocate its North American headquarters to Jacksonville. Specifically, the company’s new Jacksonville offices would be located in either Springfield or downtown Jacksonville. IBA is a world leader in particle therapy. The company has 15 employees at 2015 Jefferson Street in Jax as part of a long-term equipment maintenance contract at the University of Florida Proton Therapy Institute. The relocation would entail IBA hiring 20 new full-time positions within 36 months at an expected average wage of approximately \$85,000. There are clawback provisions in the event that the developer does not create the committed number of jobs at the salaries and by the deadline stipulated in the Development Agreement.

Policy Impact: Economic Development/Jacksonville Economic Development Commission

Fiscal Impact:

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-98

Sponsor: Council President at the Request of the Sheriff

Date of Introduction: February 12, 2008

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

Date of Analysis: February 13, 2008

Type of Action: Declaration of Surplus/Ordinance Code Waiver

Bill Summary: This bill declares certain property to be surplus to City needs, authorizing its disposition in accordance with Ordinance Code provisions. The requirement of Section 106.415, Ordinance Code, that all moneys received from the sale of public property be part of the revenues of the General Fund-General Services District and credited as unappropriated revenues is waived to allow the proceeds from the sale of the subject property to be used to provide funding for construction and/or renovation of a Zone 5 Substation and a match for a U. S. Dept. of Homeland Security grant for a marine waterborne facility.

Background Information: The subject property and value, as estimated by the Office of the Sheriff, is shown on the declaration of surplus certification as follows: 1970 helicopter (\$100,000); 1973 Cessna airplane (\$39,000); 1979 Piper Aerostar airplane (\$115,000); 1976 Beech King airplane (\$500,000); 1990 Boston Whaler Guardian with motor and trailer (\$8,000); and, 1992 Boston Whaler Guardian with motor and trailer (\$8,000).

Policy Impact Area: Surplus Property; Office of the Sheriff

Fiscal Impact: The total estimated value of the subject property is \$770,000; however, the declaration of surplus certification states that, because of the nature of the competitive sealed bid process, there is no guarantee that this amount will be realized.

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-99

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 13, 2008

Type of Action: Lease Agreement Approval

Bill Summary: This bill approves a lease agreement with Teach for America, Inc., authorizing the Mayor, or designee, to execute said agreement.

Background Information: The lease agreement is for space on the first floor of the Ed Ball Building (1,400 square feet of office space; 400 square feet of lobby/office area, and 400 square feet of shared conference and break room areas) with no annual rent for an initial term of 2 years, with renewal options for 2 additional 2-year periods. The space is to be used as general office space. Information on file states that Jacksonville was recently designated the 27th Teach for America city, and will have its first group of members teaching in its urban core schools in 2008-2009.

Policy Impact Area: Real Estate-Leases; Public Education

Fiscal Impact: Undetermined; there is no annual rental fee

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-100

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and the Corporation Secretary to execute and deliver a Perpetual Easement granting a Perpetual Easement to the State of Florida Department of Transportation for the installation of a traffic signal, control cabinet and signal loops in, over and under City of Jacksonville property on 3rd Street/State Road A1A near its intersection with Cedar Street. The work site is located in Council District 13.

Background Information: FDOT requires a Perpetual Easement over City of Jacksonville right-of-way.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-101

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Temporary Easement granting a Temporary Easement in, over and under a City of Jacksonville right-of-way along Heckscher Drive near its intersection with Shad Creek Drive, to the State of Florida Department of Transportation for the construction of drainage structures on State Road 105/Heckscher Drive and the harmonization of driveways and walkways. The work site is located in Council District 11.

Background Information: FDOT requires an easement when the construction, installation or maintenance work that the department is engaged in is in, over or under a City of Jacksonville right-of-way.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-102

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver (1) a Temporary Easement granting a Temporary Easement to the State of Florida Department of Transportation (FDOT) and (2) a Perpetual Easement granting a Perpetual Easement to FDOT, in, over and under the City of Jacksonville right-of-way along Ovella Road near its intersection with Blanding Boulevard for the installation and maintenance of a drainage pipe and the harmonization of driveways and walkways. The work site is located in Council District 14.

Background Information: FDOT requires an easement when the construction, installation or maintenance work that the department is engaged in is in, over or under a City of Jacksonville right-of-way.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-103

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a temporary easement granting a Temporary Easement in, over and under a City of Jacksonville right-of-way along Highway Avenue near its intersection with Victoria Street, to the State of Florida Department of Transportation for replacing an existing bridge with a reinforced concrete box culvert, including approach slabs, guardrail and roadwork; in addition, the project entails the realignment of a ditch, utility adjustments and maintenance of traffic. The work site is located in Council District 9.

Background Information: FDOT requires a Temporary Easement if the department is engaged in work that is over and under a City of Jacksonville right-of-way.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-104

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a perpetual easement granting a perpetual easement to the State of Florida Department of Transportation for maintenance of a bridge box culvert and associated drainage structures in, over and under the City of Jacksonville right-of-way along St. Johns Avenue near its intersection with Montgomery Place. The site is located in Council District 14.

Background Information: FDOT requires a Perpetual Easement if the department is engaged in the construction or installation of work that is in, over and under the City's right-of-way.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-105

Sponsor: TEU Committee

Date of Introduction: February 12, 2008

Committee(s) of Reference: TEU

Date of Analysis: February 14, 2008

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and SSC 91.6 Jacksonville Pecan Park, LLC for a warehouse project known as Setzer Parcel - Industrial. The fair share assessment is \$1,231,581 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 178 p.m. peak hour trips being generated on links in fair share fund sector 6.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Main Street – Pecan Park Road to New Berlin Road	88
Duval Road – I-95 to Airport Center Drive	44
Duval Road – Airport Center Drive to Main Street	46

Background Information: The project consists of up to 810,000 square feet of warehouse space on 92.2 acres on Main Street between Bird Road and Castleberry Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$1,231,581 to the Sector 6.1 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-111

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: February 14, 2008

Type of Action: Authorization of joint pond use agreement

Bill Summary: The bill authorizes a joint use agreement between the City and Emmanuel Temple of Jacksonville, Inc. for joint use of a retention pond in the southeast quadrant of the intersection of I-295 and Herlong Road on the Westside. The agreement provides that Emmanuel Temple will construct the retention pond to be able to accommodate both its own stormwater management needs and discharge of stormwater from Old Middleburg Road, and that the City will contribute \$237,538 toward the cost of the construction for the City's portion of the pond capacity. The City will also pay \$82,200 for a drainage and access easement across church property for the conveyance of its stormwater to the pond. Emmanuel Temple will assume all maintenance costs for the retention pond.

Background Information: The stormwater to be directed from City property to the pond is associated with the Old Middleburg Road (Wilson Boulevard to Herlong Road) Better Jacksonville Plan II project. Emmanuel Temple is obligated to diligently pursue permitting, engineering and construction in order to complete the project and make the pond available to the City by May 31, 2008.

Policy Impact Area: Stormwater management

Fiscal Impact: The joint use agreement obligates the City to pay \$237,538 in retention pond construction costs and \$82,200 for a drainage and access easement.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-112

Sponsor: TEU Committee

Date of Introduction: February 12, 2008

Committee(s) of Reference: TEU

Date of Analysis: February 14, 2008

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Kendall Town West, LLC for a commercial project known as Kendall West Retail. The fair share assessment is \$1,231,136 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 688 p.m. peak hour trips being generated on links in fair share fund sector 2.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Atlantic Blvd – Girvin Road to St.Johns Bluff Road	13
Atlantic Blvd – St. Johns Bluff Road to Monument Road	20
Atlantic Blvd – Monument Road to Southside Blvd.	3
Atlantic Blvd – Southside Blvd to University Blvd	23
SR 9A – Heckscher Drive to Merrill Road	12
Southside Blvd – Beach Blvd to Atlantic Blvd	39
Southside Blvd – Atlantic Blvd to Arlington Expressway	64
Arlington Expressway – Southside Blvd to Cesery Blvd	31
Southside Connector – Arlington Expressway to Merrill Road	97
St. Johns Bluff Road – Ft. Caroline Rd to Atlantic Blvd	5
St. Johns Bluff Road – Atlantic Blvd to Beach Blvd	6
Arlington Road – Rogero Rd to Arlington Expressway	4
Arlington Road – Arlington Expressway to Atlantic Blvd	3
Merrill Road – University Blvd to Townsend Blvd	10
Merrill Road – Townsend Blvd to Southside Connector	33
Merrill Road – Southside Connector to Ft. Caroline Road	16
Mill Creek Road – Arlington Expressway to Regency Square Blvd. N.	3
Mill Creek Road – Regency Square Blvd. N. to Lone Star Road	5
Ft. Caroline Road – University Blvd. to Townsend Blvd.	4
Ft. Caroline Road – Townsend Blvd to Merrill Road	5
Ft. Caroline Road – Merrill Rd. to St. Johns Bluff Road	3
McCormick Road – Ft. Caroline Road to Monument Road	5
Monument Road – McCormick Road to St. Johns Bluff Road	12
Monument Road – Regency Square Blvd. N. to Atlantic Blvd	3

Townsend Boulevard – Ft. Caroline Road to Merrill road	9
Live Oak Drive – Atlantic Blvd to Forest Blvd	1
Ft. Caroline Road – St. Johns Bluff Road to Monument Road	8
Gilmore Heights Road – Regency Square Blvd N. to Regency Square Blvd	8
SR 9A – Monument Road to St. Johns Bluff Road	36
SR 9A – St. Johns Bluff Road to Beach Blvd	16
Regency Bypass – Monument Road to Southside Connector	79

Background Information: The project consists of an 83,706 square foot shopping center on 134.82 acres on the west side of the Southside Connector between Regency Square Boulevard and Merrill Road in Council District 1.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$1,231,136 to the Sector 2.2 account.

Analyst: Clements

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LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2008-113

Sponsor: TEU Committee

Date of Introduction: February 12, 2008

Committee(s) of Reference: TEU

Date of Analysis: February 14, 2008

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and K Two K Inc. for a commercial and warehouse project known as New Kings Commons – Retail and Warehouse. The fair share assessment is \$215,605 with a 5-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 35 p.m. peak hour trips being generated on links in fair share fund sector 6.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
New Kings Road – Dunn Avenue to I-295	35

Background Information: The project consists of a 10,000 square foot shopping center on 6.3 acres at the southwest corner of the intersection of Sycamore Street and U.S. 1 in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$215,605 to the Sector 6.2 account.

Analyst: Clements

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Bill Type and Number: Resolution 2008-114

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 13, 2008

Type of Action: Condemnation Authorization

Bill Summary: This bill declares the public necessity for acquiring through condemnation by right of eminent domain fee simple title, permanent easements, and/or temporary construction easement rights in specified lands as part of the Collins Road project. The Office of General Counsel is authorized and directed to institute appropriate legal proceedings.

Background Information: The project involves widening Collins Road from Rampart Road to Shindler Drive, and is part of the Better Jacksonville Plan II. Information from the Real Estate Division indicates that 85 parcels (22 fee simple; 2 permanent easements; and 61 temporary construction easements) are involved, with an estimated value of \$290,000.

Policy Impact Area: Office of General Counsel-Eminent Domain Proceedings; Public Works; Better Jacksonville Plan

Fiscal Impact: Undetermined; the Real Estate Division's estimated value of the parcels is \$290,000

Analyst: Campbell

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Bill Type and Number: Resolution 2008-115

Sponsor: Council President Davis

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 6, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Council Member Kevin Hyde to the Board of Directors of the Jacksonville Zoological Society for a term ending September 30, 2008, representing the City Council.

Background Information: The bylaws of the Jacksonville Zoological Society provide for a City Council member, appointed by the Council President, as a member of the Board of Directors.

Policy Impact Area: Zoological Society Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2008-116

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 6, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Robin S. Robbins as the Chief of Recreation and Community Programming within the Recreation and Community Services Department, effective February 4, 2008.

Background Information: Per Section 28.302, *Ordinance Code*, the requirements for this position are a bachelor's degree or higher from an accredited college or university and at least five years of experience in the recreation field. Ms. Robbins received a bachelor's degree in recreation from the University of Florida. She has been employed with the City of Jacksonville since September 2006, serving as Chief of Park Development until October 2007. Prior to her employment with the City, Ms. Robbins was an Administrative Manager with the St. Johns County Recreation & Parks Department from July 2001 to September 2006.

Policy Impact Area: Recreation and Community Services Department / Recreation and Community Programming Division operations

Fiscal Impact: The salary range for the position is \$82,422 to \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2008-117

Sponsor: Council President Davis

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 6, 2008

Type of Action: Reappointment

Bill Summary: This bill reappoints Ramiro F. Onate to the Jacksonville Small & Emerging Business "JSEB" Monitoring Committee, as a JSEB contractor for a second three-year term ending April 30, 2010.

Background Information: Section 126.607(c), *Ordinance Code*, provides that the Council shall appoint two of the members of the JSEB Monitoring Committee, one of which shall be a JSEB Contractor. Mr. Onate received a bachelor's degree in electrical engineering from the University of Florida and is the President/Director of *Quality Electrical Service, Inc.* He resides in the Hyde Park area within Council District #10.

Policy Impact Area: JSEB Monitoring Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2008-118

Sponsor: Council President Davis

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 6, 2008

Type of Action: Reappointment

Bill Summary: This bill reappoints Elizabeth G. Means to the Enterprise Zone Development Agency Board for a second four-year term ending December 31, 2011.

Background Information: Chapter 501, *Ordinance Code*, provides that the members of the Enterprise Zone Development Agency Board shall be appointed by the Council. Ms. Means received a master's degree in health administration from Central Michigan University and is the Vice President of Community Affairs with *Shands Jacksonville*. She also serves as a member of the Comcast Settlement Community Panel and has previously served on the Equal Opportunity Commission and the Jacksonville Housing Authority. Ms. Means resides in the St. Johns Bluff area within Council District #1.

Policy Impact Area: Enterprise Zone Development Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2008-119

Sponsor: Council President Davis

Date of Introduction: February 12, 2008

Committee(s) of Reference: R

Date of Analysis: February 6, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Wesley A. Benwick to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Gary Looney for an unexpired term ending June 30, 2008, followed by a first full three-year term ending June 30, 2011.

Background Information: Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Council President. Mr. Benwick received a bachelor's degree in computer science from Florida State University and is President & CEO of *Bennett's Business Systems, Inc.* He resides in the Deerwood area within Council District #13.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2008-121

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 15, 2008

Type of Action: Easement Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a perpetual easement granting a Perpetual Easement to the State of Florida Department of Transportation for the installation of a traffic signal, control cabinet and signal loops in, over and under the City of Jacksonville right-of-way along Penman Road near its intersection with Atlantic Boulevard. The site is located in Council District 13.

Background Information: The Florida Department of Transportation requires an Easement for a construction or installation project that is over, under upon or through City of Jacksonville property.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-123

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: February 13, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$4,178,213 from Banking Fund Loan proceeds to the General Capital Projects Sub-fund for completion of projects involving fire stations 5, 32, 40, and 59. The Capital Improvement Program is amended relative to these fire station projects. Provision is made for removal and correction of a transfer from Sub-fund 531 (ITD Operating Budget) to Sub-fund 535 (ITD Systems Development), replacing it with a reduction in the internal service allocation for various users and a transfer from Sub-fund 011 (General Fund-GSD) to Sub-fund 535. Additionally, restoration is made of the internal service allocation for Sub-fund 535 Project BFIT08 03 End User Equipment Replacement, erroneously removed in the Council Auditor's Office adjustments. The Budget Office is requesting emergency passage, with the stated nature of the emergency being to provide budget capacity for fire station repair and replacement as approved in previous legislation.

Background Information: The Fire Station 5 project is located at Stockton and Forest streets; the Fire Station 32 project is located at Fouraker Road and Lenox Avenue; the Fire Station 40 project is located at Fort George Road and Heckscher Drive; and, the Fire Station 59 project is located at Davis Parkway and San Pablo Road.

Policy Impact Area: Fire and Rescue; Budget and Accounting

Fiscal Impact: \$4,178,213 is appropriated by this ordinance; information from the Budget Office states that the other items are budget neutral

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-124

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F

Date of Analysis: February 14, 2008

Type of Action: Amendment to previous ordinance

Bill Summary: The bill amends previous Ordinance 2006-888-E, which authorized the creation of an internal loan pool, to increase the bonding capacity for the pool from \$222.73 million to \$228.85 million and to add 5 capital projects (4 for the Fire and Rescue Department, 1 for the Supervisor of Elections Office) with a value of \$6,119,951 to the approved project list.

Background Information: The five projects added to the list are the completion of construction of Fire Stations 5, 32, 40 and 59 (\$4,178,213) and the purchase of Automark voter assistance voting terminals (\$1,941,733). The appropriation of funds and amendment of the CIP for the fire station construction projects is contained in pending Ordinance 2008-123. The appropriation of funds for the voting equipment purchase is contained in pending Ordinance 2008-58.

Policy Impact Area: Capital project funding; loan pool capacity expansion

Fiscal Impact: The bill authorizes the expansion of the loan pool by \$6,119,951.

Analyst: Clements

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Bill Type and Number: Resolution 2008-126

Sponsor: Council Member Mia Jones

Date of Introduction: February 12, 2008

Committee(s) of Reference: R, RCD

Date of Analysis: February 14, 2008

Type of Action:

Bill Summary: The bill expresses the Council's support for efforts to bring the Knowledge Is Power Program (KIPP) to Jacksonville to operate several charter middle and elementary schools.

Background Information: Knowledge Is Power is a private company that operates primarily public charter schools that promote high academic achievement through the use of its program of "Five Pillars" – high expectations, choice and commitment, more time, power to lead, and focus on results. These expectations along with extended school days, a longer school year, and well trained and motivated teachers, are expected to provide substantially greater learning opportunities for the students they enroll. Knowledge Is Power expands its services to one or two communities a year based on a competitive application process. Private funding is raised by the local community to supplement the additional costs of operating a KIPP school that exceed the funding provided to the schools by the state and local school system.

Policy Impact Area: Educational improvement.

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-128

Sponsor: Council President at the request of the General Counsel

Date of Introduction: February 12, 2008

Committee(s) of Reference: LUZ

Date of Analysis: February 14, 2008

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code 656 – Zoning Code – in Part 7 – Nonconforming Lots, Uses and Structures – to provide that adult entertainment facilities lawfully in existence prior to November 10, 2005 or which became a nonconforming use because of the adoption of Ordinance 2005-743-E shall have an additional 2 years to continue to operate (from November 10, 2010 to November 10, 2012) before being forced to discontinue operations as a nonconforming use.

Background Information: The amendment is proposed in full settlement of a pending federal lawsuit, currently scheduled for trial in the early summer.

Policy Impact Area: Adult entertainment regulation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-129

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 12, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: February 14, 2008

Type of Action: Ordinance Code amendments

Bill Summary: The bill amends Ordinance Code Chapter 754 – Stormwater Management Utility Code – to revise and add additional definitions; to establish a system of user fee adjustments, credits and reductions for particular classes of properties; to expand the number of categories of multi-family property types and their monthly charges; to exclude public rights-of-way and roads developed in accordance with City standards in residential developments from being charged; and to provide that the fee is to be collected on a calendar year rather than fiscal year basis.

The amended definitions include a revision to the definition of “impervious area” to include compacted and semi-pervious (clay and gravel) road surfaces. A new definition of “owner” is included, which may include a tenant in a rental unit if the lease agreement provides that the fee is payable as a maintenance fee. The definition of an “equivalent residential unit” of 2,443 square feet is deleted and replaced with a “single family unit” of 3,100 square feet as the basic unit of fee computation. The definition of “stormwater management facility impervious area factor” is deleted. The definition of “stormwater management system” is amended to include TMDL compliance requirements. New definitions of “TMDL”, “user fee or service charge”, “user fee adjustment”, “user fee credit” and “user fee reduction” are added.

The existing schedule of fees for residential properties is expanded from 3 categories (under 1,800 sq. ft. of impervious area [0.5 ERU], 1,800 to 3,400 sq. ft. [1 ERU], and over 3,400 sq. ft. [1.5 ERU]) to 6 categories:

- Single-family detached residential 1,549 sq. ft. of impervious surface or less – 0.5 SFU (\$2.50/month)
- Single-family detached residential 1,550 – 4,650 sq. ft. of impervious surface or less – 1 SFU (\$5.00/month)
- Single-family detached residential greater than 4,650 sq. ft. of impervious surface – 1.5 SFU (\$7.50/month)
- Townhouse, duplex, triplex, quadruplex and condominium – 0.49 SFU (\$2.45/month)
- Mobile home and mobile home park – 0.81 SFU (\$4.05/month)
- Multi-family dwelling units w/5-9 units – 0.32 SFU (\$1.60/month)
- Multi-family dwelling units greater than 9 units – 0.44 SFU (\$2.20/month)

The bill provides that the first fee collection period will cover July 1 – December 31, 2008, and thereafter the fee shall be collected on a calendar year basis and shall be billable on a monthly, quarterly, semi-annual, annual or pro-rated basis as the City shall determine to be in its best interest. Collection by the Tax Collector is specifically authorized based on mutually agreeable methods and costs between the Tax Collector and the City. Language is

added providing that liens placed against properties for non-payment of amounts due may not be foreclosed without authorization from the City Council.

The bill establishes a system of user fee credits, reductions and adjustments as follows:

- User fee reduction of 50% for organizations classified under Section 501(c)(3) of the IRS code, providing that the structure to which the fee applies is owned and used by the agency to provide its programs to the community;
- User fee reduction of 100% for residential properties owned by an individual or family with an income level within 150% of federal poverty guidelines;
- User fee adjustments for errors as permitted by the Adjustment and Credit Manual;
- User fee credits of up to 50% (75% in extraordinary circumstances) for use of stormwater best management practices (BMPs) pursuant to the Adjustment and Credit Manual.

The Adjustment and Credit Manual dated February 2008 is referenced as on file in the office of Legislative Services, and may be modified by the Subdivision Standards and Policy Advisory Committee.

Background Information: These amendments represent the revisions proposed by the administration resulting from the work of the Stormwater Advisory Committee and from the input received by that committee from the general public through its series of town meetings around the city.

Policy Impact Area: Stormwater management

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-130

Sponsor: Council President at the request of the Mayor and Council Member M. Jones:

Date of Introduction: February 12, 2008

Committee(s) of Reference: F; RCD; TEU; JWW

Date of Analysis: February 15, 2008

Type of Action: Appropriation; CIP Amendment; Authorizations

Bill Summary: This ordinance appropriates \$14,720,000 from the St. Johns River Water Management District (SJRWMD) to provide funding for (1) Microbial Source Tracking, (2) the construction of sewer infrastructure for the Oakwood Villas Estates Phase 2 Project, (3) UTIP programs, (4) Septic Tank Enforcement Programs, (5) a water quality outreach campaign and (6) construction of sewer infrastructure for the Lincoln Villas Service Area I Project, as initiated by B.T. 08-091; the bill provides a carryover of funds to subsequent fiscal years; the bill amends the 2007-2012 Five-Year Capital Improvement Program, approved by Ordinance 2007-814-E, to provide additional funding for the "Oakwood Villas" and "Lincoln Villas" projects; the bill authorizes the Mayor and Corporation Secretary to execute the Agreement for Tributary Water Quality Restoration, Lower St. Johns River Basin between the City and SJRWMD; the bill further authorizes the Mayor and Corporation Secretary to execute subcontract with the Water and Sewer Expansion Authority (WSEA) and the Duval County Health Department (DCHD) for performing certain of the obligations of the SJRWMD Agreement Tributary Water Quality Restoration. The bill provides that the Environmental and Compliance Department will provide oversight over the projects.

Background Information: This bill authorizes a cost reimbursement contract for a period of three (3) years between the City and the St. Johns River Water Management District to fund projects for tributary water quality restoration in the Lower St. Johns River Basin. (The City will fund the projects and then invoice SJWMD on a monthly basis for reimbursement). There are six components to the restoration project. (1) Microbial Source Tracking - \$145,000 budgeted that enables the City to issue and manage a contract for services to assess fecal coliform bacteria impairment of tributaries (2) \$11,200,000 allocated for Oakwood Villas Estates Phase 2 project– to engineer, design, plan and construct sewer infrastructure for approx 515 homes and allow for the phase-out of existing septic tanks (3) funding that enables the City's Housing Services Division to administer a program that allows qualified property owners to abandon failing septic tanks and connect with a sanitary sewer (4) funds to enable the Duval County Health Department to inventory the existing septic tank system, evaluate conditions, facilitate repairs and track inspections and results (5) raising public awareness concerning septic tank and pet waste contributions to fecal coliform pollution (6) funds to enable WSEA to engineer, design, plan and construct gravity sewer infrastructure for approx 85 access points in Lincoln Villas Service Area I and to allow for the phase-out of existing septic tanks. Lincoln Villas and Oakwood Villas are housing developments in Council District 10.

Policy Impact: SJRWMD/Environmental and Compliance Department/WSEA/Water Quality

Fiscal Impact: This ordinance appropriates \$14,720,000

Analyst: Jackson