

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2008-133

Sponsor: Council Member Hyde and the Public Health and Safety Committee

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, PHS

Date of Analysis: February 29, 2008

Type of Action: Establishment of public safety initiative, goals and standards; request to Sheriff's Office; direction to the Mayor to develop specific policies for City Council consideration; declaration of Public Service Grant priority population; suggestion to Sheriff of preferred police enforcement strategies; requirement for uniform reporting from publicly funded community-based treatment/intervention programs

Bill Summary: The bill creates a Jacksonville Citizen and Neighborhood Safety Initiative. It requests the Sheriff to provide to the Council, on or before July 15, 2008, a variety of crime statistic data including violent and non-violent crimes, their number and locations, demographics on the victims of those crimes, and trend comparisons with prior years, all organized on a zip code or City Council district basis. The bill directs the Mayor to include sufficient funding in his FY08-09 budget proposal to operate the re-opened Juvenile Assessment Center for the fiscal year. The bill directs the Mayor to propose to the Council by May 15, 2008 a program for providing employment for ex-offenders, including both public and private sector job opportunities.

The bill establishes a Priority Population, for purposes of public service grant funding, of past and potential victims and perpetrators of crime. The bill also suggests 13 policing strategies and law enforcement policy preferences to the Sheriff as the City Council's public safety priorities. The bill directs the Sheriff's Office to develop a uniform reporting format for all publicly funded community-based treatment/intervention programs to measure their performance and outcomes. The bill urges the Mayor and Sheriff to propose to the Council for adoption a set of specific crime reduction goals and performance measurement standards to evaluate progress toward meeting those goals. Finally, the bill declares that the Council will consider the specific crime prevention strategies produced by the Mayor's Jacksonville Journey program, either in conjunction with this ordinance or separately.

Background Information: The bill is introduced by the Public Health and Safety Committee and its Chairman as a means of reporting the results of, and proposing legislative action on, the committee's study of crime issues and the community crime and safety forums. This bill may also serve as the vehicle for the consideration of the findings and recommendations of the Jacksonville Journey initiative.

Policy Impact Area: Crime prevention and reduction

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-134

Sponsor: Council President Davis

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, PHS, TEU

Date of Analysis: February 29, 2008

Type of Action: Ordinance Code amendment; amendment to previous ordinance; requirement for status reporting

Bill Summary: The bill amends Ordinance Code Chapter 111 – Special Revenue and Trust Funds – to create a new Neighborhoods Safety Trust Fund and states that the trust fund will be funded from the net proceeds of penalties derived from the camera enforcement of red light and excessive speed infractions. The new trust fund will be used to train and hire new law enforcement officers for neighborhood patrol purposes only. The bill repeals Section 5 of Ordinance 2007-1131-E that directed the proceeds from the camera enforcement operations (after operational and administrative expenses) to an index code in the Sheriff’s budget for subsequent appropriation by the City Council.

The bill requests the Mayor to report to the Council by May 15, 2008 on the status of selection of a vendor for the red light camera enforcement system and on the status of pending State legislation regarding red light camera enforcement. The bill requests the Mayor to report to the Council by July 15, 2008 on the status of the installation schedule for the cameras and the proposed schedule for training, public information and enforcement grace periods. Effectiveness of the bill is made contingent upon passage by the Florida Legislature of the necessary state statutory authority.

Background Information: By Ordinance 2007-1131-E the Council authorized the Mayor and Sheriff to implement a camera enforcement system for red light violations and excessive speed infractions in selected dangerous intersections. This bill more specifically captures the revenues (after expenses) generated by this camera enforcement program with the express intent of providing new law enforcement officers for neighborhood patrol purposes.

Policy Impact Area: Public safety enhancement

Fiscal Impact: Undetermined, but conservatively estimated at \$150,000 in revenue from each red light enforcement camera (10 cameras are planned initially) in the first year of operation, or \$1.5 million total.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-148

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

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

Date of Analysis: February 29, 2008

Type of Action: Park Hunting Authorization; Ordinance Code Amendment

Bill Summary: This ordinance authorizes the Florida Fish and Wildlife Conservation Commission (FFWCC) to establish Kings Road Historical Park as a unit of the Thomas Creek Wildlife Management Area (WMA) to allow hunting by the public. The bill amends Section 28.818 (Hunting or Disturbing Animals Prohibited), *Ordinance Code*, to allow hunting on the Thomas Creek WMA – Kings Road Unit in accordance with regulations established by the FFWCC. The bill approves and authorizes the Mayor and Corporation Secretary to execute and deliver documents and take further action to effectuate the purpose of this ordinance; the Department of Recreation and Community Services is designated to provide oversight. The park site is located in Council District 11.

Background: The Thomas Creek Wildlife Management Area is located in 1,753 acres of land within the Upper Nassau River Basin that the City and the St. Johns River Water Management District acquired and share an undivided interest in. The Florida Fish and Wildlife Conservation Commission is the state entity responsible for the establishment of Wildlife Management Areas. The FFWCC proposes to establish the Kings Road Historical Park as a unit of the Thomas Creek Wildlife Management Area to allow regulated hunting. The FFWCC will manage the Thomas Creek WMA – Kings Road Unit. Non-hunting recreational users will have use of the Thomas Creek WMA on those days not scheduled and posted in advance as hunting days. FFWCC will publish and distribute pamphlets indicating regulations and dates on which hunting will be allowed at the Thomas Creek WMA.

Policy Impact: Recreation and Community Services/Waterfront Management

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-149

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: TEU; LUZ

Date of Analysis: February 27, 2008

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 518.123, Ordinance Code, relative to right of entry and notice of inspection, to strike requirement that a reasonable time be deemed to be between the hours of 8:00 a.m. and 9:00 p.m., Monday through Saturday. Section 656.110 is clarified by recognizing certain Zoning Code enforcement by the Chief of the Municipal Code Compliance Division, by citation for civil penalties pursuant to Florida Statutes and/or Ordinance Code, and by action for injunctive relief and/or civil penalties through a court of competent jurisdiction. Section 656.111 is amended to provide that violation of any term of an order granting an exception, variance, or waiver, including any conditions made part of such order, or conditions or restrictions placed on, or terms of, any rezoning, including Planned Unit Developments, shall be deemed a violation of the Zoning Code and punishable as provided.

Background Information: Information from the Office of General Counsel states that code enforcement officers are being called to conduct inspections after the provided hours for nightclubs and other facilities that do not commence activities until after such hours. Additionally, the legislation clarifies enforcement mechanisms and provides notice and citation procedures relative to the Zoning Code.

Policy Impact Area: Code Compliance and Enforcement Authority

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-150

Sponsor: Council Member Bishop

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: February 27, 2008

Type of Action: Agreement Authorization

Bill Summary: This bill authorizes the Mayor, or designee, the Sheriff, and Corporation Secretary to execute an agreement with Forest Creek Condominium Association for municipal traffic control jurisdiction by the Jacksonville Sheriff's Office over the limited access roads located within the boundaries of the Forest Creek Community.

Background Information: The property is located off of Kernan Forest Boulevard. On January 28, 2008, the Board of Directors of the Forest Creek Condominium Association voted to request such traffic control jurisdiction and authorized the entering into of an agreement. Upon execution of the agreement, the provisions of Chapter 316 (State Uniform Traffic Control), Florida Statutes, shall apply to all vehicular traffic on the roads within the boundaries of the Forest Creek Community, and Jacksonville Sheriff's Office deputies shall have the same authority to control traffic on those roads as on the City's streets and highways. Costs incurred by the City for services which exceed the ordinary level of traffic control service are to be paid by the Forest Creek Condominium Association.

Policy Impact Area: Uniform Traffic Control; Office of the Sheriff

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-151

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

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

Date of Analysis: February 29, 2008

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$1,266,000 (\$633,000 in Florida Inland Navigational District (FIND) grants and \$633,000 in matching funds from various Department of Recreation and Community Services accounts) to provide funding for the purchase of the Intracoastal Waterway Boat Ramp, as initiated by B.T. 08-073. The bill amends the 2007-2012 Five-Year Capital Improvement Program, approved by Ordinance 2007-814-E, to provide additional funding for the "Intracoastal Waterway Boat Ramp" project. The Mayor and Corporation Secretary are authorized to execute and deliver documents to effectuate the purpose of the ordinance and the Planning & Development Department is designated to provide City oversight. The boat ramp is located in Council District 13.

Background: The Jacksonville Waterways Commission works closely with the Department of Recreation and Community Services to identify County waterways projects that qualify for funding from the State through the FIND grants. A priority list of projects is created targeting those projects that enhance the public's access to our waterways for recreational purpose and subsequently likely to have the applications for state funding approved. Most of the application grants require a local match in the funding.

Policy Impact: Waterways/Recreation & Community Services Department/Jacksonville Waterways Commission

Fiscal Impact: This bill appropriates \$1,266,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-152

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 29, 2008

Type of Action: Budget Transfer; CIP Amendment

Bill Summary: This ordinance provides \$1,500,000 in additional funding for the Collins Road (Rampart to Blanding) project, a Better Jacksonville Plan project, by reducing the approved funding for, and transferring such funding from, the Parramore Road Extension project, another Better Jacksonville Plan project, to the Collins Road (Rampart to Blanding) project, as initiated by B.T. 8-080. The ordinance amends the 2007-2012 Five-Year Capital Improvement Program, approved by Ordinance 2007-814-E, for the "Collins Rd – Rampart to Blanding" and "Parramore Road Extension" projects. The project sites are located in Council District 14.

Background: The funding transfer authorized by this legislation will enable the award of the construction contract for the Collins Road (Rampart to Blanding) project. The Parramore Road Extension project is a lower priority project than the Collins Road (Rampart to Blanding) project and cannot be constructed until the Collins Road project has been completed. The funding for the Paramore Road project will be replaced when the FDOT furnishes the City with a country incentive grant for the Collins Road project. This funding is anticipated to be received shortly after July 1, 2008.

Policy Impact: Public Works/Better Jacksonville Plan/Road Construction

Fiscal Impact: This bill makes a budget transfer in the amount of \$1,500,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-153

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

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

Date of Analysis: February 29, 2008

Type of Action: Appropriation

Bill Summary: The ordinance appropriates \$42,074 from the Sisters Creek Park Maintenance and Improvements, Rental of Facilities account to fund boat ramp repairs at Sisters Creek Marina, including labor, material and a 20% contingency, as initiated by B.T. 08-081; provision is made to carry the funds over to Fiscal Year 2008-2009; the bill designates the Department of Recreation and Community Services to provide oversight. The marina is located in Council District 11.

Background: The Sisters Creek Marina is the site for the annual, widely recognized Kingfish Tournament. The repairs funded by this appropriation entail replacing a deteriorating asphalt as you come off the ramp with a concrete pad; inspecting a drainage pipe under the ramp to ascertain whether or not it has been compromised; and the installation of PVC conduits and a water line under the creek for the Kingfish Tournament.

Policy Impact: Recreation and Community Services Department/Waterfront Management/Waterways

Fiscal Impact: This bill appropriates \$42,074

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-154

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F

Date of Analysis: February 27, 2008

Type of Action: Appropriation

Bill Summary: This bill appropriates \$23,885 from the General Fund to provide funding to transfer 1 Central Payroll Technician Senior position from the Finance Department's Accounting Division to its Retirement Systems Administrative Office. Authorization is given for the position.

Background Information: This will move the position responsible for pension payroll from the Accounting Division to the Retirement Systems Administrative Office to better align duties and responsibilities. Such action is intended to better serve the plan members, benefits recipients, and beneficiaries by providing higher degrees of completeness and accuracy, a reduced turnaround time for pension transactions, and the convenience of "one stop" for retirement related issues.

Policy Impact Area: Finance Department; Pension and Retirement

Fiscal Impact: \$23,885 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-155

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: February 29, 2008

Type of Action: Reallocation of funding

Bill Summary: The bill reallocates \$10 million from the TMDL (Total Maximum Daily Loads)/River Accord account to various Public Works bond construction projects to supplement the funding of 7 drainage projects currently under construction for which insufficient funds remain in the original budgets to complete the projects. The projects to be supplemented include: Pine Forest/Larsen Acres Drainage; Hugh Edwards Road Drainage; Melba/Green Street Drainage; Pinedale Area Drainage; Countywide Drainage System Rehab; Mandarin/Orange Picker Road Drainage; and Newtown Phases III, IV, V and VI Drainage.

The bill also amends the 2007-12 CIP to revise the total project cost for each of the projects.

Background Information: The drainage projects were approved and funded by the 2001 Drainage Bond, but construction costs have increased substantially in recent years leaving the projects with insufficient funds for completion. The TMDL/River Accord account was created and funded with \$10 million the current year's budget ordinance. The Legislative Fact Sheet indicates that the administration plans to allocate funding in the FY08-09 budget to replace the TMDL/River Accord funds being utilized by this ordinance, and to cover the anticipated construction cost increases in other unfinished drainage projects.

Policy Impact Area: Drainage improvement

Fiscal Impact: The bill allocates \$10 million in existing River Accord initiative funding to these unfinished projects, with the River Accord account being replenished in the upcoming fiscal year budget.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-156

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: February 29, 2008

Type of Action: Reallocation of funding; CIP amendment

Bill Summary: The bill reallocates \$450,809.15 in fund balance from 2 completed drainage projects (Miramar Tributary Improvement and Inwood Terrace Drainage) to the Drainage System Rehab/Construction account. The bill amends the 2007-12 Capital Improvement Program to increase the amount of the Drainage System Rehab/Construction account to reflect the addition of the funds to the overall project amount.

Background Information: The reallocation of funds increases the budget for the Drainage System Rehab account to \$74,069,348 for FY07-08.

Policy Impact Area: Drainage improvement

Fiscal Impact: The bill reallocates \$450,809.15 in fund balance from completed projects to the countywide drainage system rehab account for use in multiple projects.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-157

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, TEU

Date of Analysis: February 29, 2008

Type of Action: Appropriation; CIP amendment

Bill Summary: The bill appropriates a \$500,000 Surface Water Improvement and Management (SWIM) grant from the St. Johns River Water Management District to the Sandalwood Canal Flood Control Project to provide additional funding toward the project's total cost of \$9,827,000. The bill also amends the 2007-12 Capital Improvement Program to reflect the additional funding source for the project.

Background Information: The project will construct a 49-acre retention pond and make structural improvements in the Sandalwood Canal to control flooding and provide appropriate treatment for stormwater.

Policy Impact Area: Stormwater management

Fiscal Impact: The bill appropriates a \$500,000 state grant with no local matching requirement.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-158

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 29, 2008

Type of Action: Appropriation; Hours Approval

Bill Summary: This ordinance transfers the hours and appropriates \$19,219.20 from the Recreation and Community Services Department's Special Revenue, Hanna Park account to fund the salaries of two part-time maintenance worker positions so as to properly align the duties and responsibilities of the positions in the correct index code, as initiated by B.T. 08-086. The bill approves 2,080 temporary hours, as initiated by R. C. 08-367.

Background Information: This appropriation covers the salary and transfers the hours of two part-time maintenance workers at Hanna Park.

Policy Impact: Public Works/Grounds Maintenance/Hanna Park

Fiscal Impact: The ordinance appropriates \$19,219.20 for salary coverage

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-159

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 29, 2008

Type of Action: Appropriation; Hours Approval

Bill Summary: This bill transfers the hours and appropriates \$9,609.60 from the Recreation and Community Services Department's Special Revenue, Huguenot Park account to fund the salary of a part-time maintenance worker position so as to properly align the duties and responsibilities of the position in the correct index code, as initiated by B.T. 08-087; the bill approves 1,040 temporary hours, as initiated by R. C. 08-368.

Background Information: This appropriation covers the salary and transfers the hours of a part-time maintenance worker at Huguenot Park.

Policy Impact: Public Works/Grounds Maintenance/Huguenot Park

Fiscal Impact: The bill appropriates \$9,609.60 for salary coverage

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-160

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 29, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$214,872.20 of HOME Program income from interest and investment (\$122,552.23) to the HOME Headstart to Home Ownership Program to provide downpayment assistance to individuals and families of low to moderate income purchasing homes in Duval County and \$92,319.97 in development subsidies to Habitat Resources of Duval County, a Community Housing Development Organization (CHODO), as initiated by B.T. 08-089. Provision is made to carryover the funds to Fiscal Year 2008-2009.

Background Information: This legislation releases entitlement dollars to assist approximately 9 more homeowners and assist with additional development subsidies for Habitat Resources. The HOME Headstart to Home Ownership Program offers financial assistance to eligible low-income families/individuals who are interested in purchasing a home. The purpose of the down payment program is to provide qualified borrowers with a source of down payment and closing costs assistance.

Policy Impact: Affordable Housing/Housing & Neighborhoods Department/Housing Services Division/HOME Program

Fiscal Impact: This bill appropriates \$214,872.20

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-161

Sponsor: Council President at the Request of the Sheriff

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; PHS

Date of Analysis: February 27, 2008

Type of Action: Appropriation/CIP Amendment

Bill Summary: This bill appropriates \$84,910.90 to provide additional funding for the Sheriff's Supply Warehouse Project at Montgomery Corrections Center (MCC) in order to meet the recommended award amount. The 2007-2012 Five-Year Capital Improvement Program is amended to increase funding for the MCC Supply Warehouse project, and to decrease funding for the MCC E/F Insulation/Mold Remediation and MCC South Soundproofing projects.

Background Information: Funds are being transferred from the Sheriff's Capital Projects Fund to the warehouse project (\$56,800.90 originally appropriated for insulation and mold remediation and \$28,110 originally appropriated for South Compound soundproofing). It is anticipated that the warehouse project will allow for bulk purchases for Corrections, accommodating growth in supply and storage needs.

Policy Impact Area: Office of the Sheriff; Corrections Facilities; Capital Improvements

Fiscal Impact: \$84,910.90 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-162

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, PHS

Date of Analysis: February 29, 2008

Type of Action: Appropriation

Bill Summary: The bill appropriates \$442,000 in General Fund property tax revenues to a Clerk of the Courts miscellaneous services and charges account to pay for records storage expenses for the remainder of the 2007-08 fiscal year.

Background Information: The recently-enacted Memorandum of Understanding between the City and the Clerk of the Courts (Ord. 2007-1349) clarified several points of contention between the two parties and spelled out in greater detail what court expenses were to be borne by each party as either state or local financial responsibilities. Payment for storage of court records was determined to be a City responsibility.

Policy Impact Area: Court operational expenses

Fiscal Impact: The bill appropriates \$442,000 in property tax revenues.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-163

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 29, 2008

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$95,000 from the Public Buildings – Supervision account to provide \$70,000 in funding to the Boselli Foundation for an approximately 1,400 square feet expansion of the Russell Bill Cook Community Center and \$25,000 in funding for the purchase of computers and furniture for the center. The center is located in Council District 7.

Background: Builders Care is coordinating the approximately 1,400 feet expansion of the building. The center will house a program that provides after school tutoring and mentoring to neighborhood youngsters.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: The ordinance appropriates \$95,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2008-164

Sponsor: Council Member Redman

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 27, 2008

Type of Action: Approval of Bonds/Interlocal Agreement Approval

Bill Summary: This bill approves issuance by Palm Beach County of its Palm Beach County, Florida Variable Rate Demand Revenue Bonds (The Children's Home Society of Florida Project) in an amount not to exceed \$17,000,000. Approval is also given for an Interlocal Agreement between the City of Jacksonville and Palm Beach County, with the Mayor and Corporation Secretary being authorized to execute said agreement. It is provided that approval of the agreement does not constitute an endorsement to a prospective purchaser of the bonds, nor of creditworthiness, and the bonds are not to constitute an indebtedness or obligation of the City of Jacksonville.

Background Information: Bond proceeds are to be loaned to the Children's Home Society of Florida for various projects throughout Florida, including the financing of part of the costs of construction, installation, and equipping of an approximately 6,390 square foot social service facility in Jacksonville which will provide housing and social services for foster care women. Said facility is to be located at 3001 San Diego Road. It is stated that Palm Beach County has requested this City Council approval of the bonds.

Policy Impact Area: Community Services; Bonds; Interlocal Agreements

Fiscal Impact: Undetermined; approves issuance by Palm Beach County of \$17,000,000 in bonds

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-165

Sponsor: Council Member Yarborough

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, RCD

Date of Analysis: February 29, 2008

Type of Action: Appropriation; CIP amendment

Bill Summary: The bill appropriates \$142,532.84 from the Tree Protection and Related Expenses Trust Fund to increase funding to the Rogero Town Center landscaping project, and amends the CIP listing for the project to reflect the increased project cost from \$379,425.53 to \$521,958.37.

Background Information: The Rogero Town Center project includes tree planting, landscape improvement and irrigation along Rogero Road from Arlington Road north to Ft. Caroline Road. The original funding allocation for tree planting may be insufficient to complete the project and this bill adds additional funding to the extent necessary. Any unused funds will revert to the Tree Protection and Related Expenses Trust Fund.

Policy Impact Area: Neighborhood beautification

Fiscal Impact: The bill appropriates \$142,532.84 from the Tree Protection and Related Expenses Trust Fund.

Analyst: Clements

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Bill Type and Number: Ordinance 2008-166

Sponsor: Council President Davis

Date of Introduction: February 26, 2008

Committee(s) of Reference: PHS

Date of Analysis: February 29, 2008

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 230 – Wreckers – and Chapter 804 – Jacksonville Traffic Code – to revise the regulations and policies regarding wreckers and towing. Some of the major changes are as follows:

- Various offenses under Chapter 230 for failure to register wreckers with the Sheriff's Office or to have the company name prominently posted on the wrecker are changed from a Class A offense (maximum \$25 fine or up to 10 days in jail) to a Class D offense (maximum of \$500 fine or up to 60 days in jail).
- Creates a new \$300 fee for initial wrecker company registration with the JSO a \$100 annual renewal fee.
- Provides that the Sheriff *may*, rather than *shall*, remove a wrecker company from the JSO rotation list upon receipt of 2 complaints within a 6-month period, and increases the re-application fee for restoration to the rotation list after being removed from \$150 to \$300.
- Increases the towing fee for Class C wreckers moving large trucks, semis, mobile homes, etc. from \$220 per hour to \$375 per hour.
- Increases towing company administrative fees for expenses and creates new fees for Internet research on towed vehicles and for waterproof wrapping of crash vehicles.
- Provides an exemption to vehicle owners from paying a fee for non-business hours access to vehicles for purposes of retrieving child seats, medical equipment, or other life necessities.
- Provides authority to the Sheriff to suspend wreckers from the rotation list and to promulgate rules and regulations for that purpose.
- Provides a definition for *contract towing* wherein a property owner contracts with a towing company to remove vehicles from the owner's property and storing it for retrieval by the vehicle owner.
- Provides that the City shall set the fees for towing of vehicles from private property at the property owner's request, and that the property owner or a designated representative must be present to personally authorize the tow. Pre-signed blank towing approval forms are prohibited.
- Provides that tow-away warning signs posted at private lots must contain the name, address and phone number of a single towing company to which vehicles must be towed, which must be within 10 miles of the site where the tow originates.
- Prohibits trespassing vehicles from being towed from Duval County to a storage lot outside the county and requires each towing company to keep a detailed log of all vehicles towed and stored

Background Information: The proposed revisions are the result of a more than 2 year process of meetings and negotiations between representatives of the towing industry and the Jacksonville Sheriff's Office. The revisions are intended, in part, to clarify the differences in regulation among 3 distinct towing situations: 1) vehicles on public property or rights-of-way to be towed at the request of the Sheriff's Office; 2) vehicles on private property to be towed without the vehicle owner's knowledge or consent at the request of the property owner (i.e. from a

business parking lot); and 3) vehicles to be towed at the request of the vehicle owner. Some of the increased administrative fees for functions performed by the Sheriff's Office result from the recommendations of the Matrix study that the Sheriff charge administrative fees that cover the cost of providing the services.

Policy Impact Area: Towing regulation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2008-167

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: TEU

Date of Analysis: February 27, 2008

Type of Action: Alley Closure

Bill Summary: This bill closes, abandons, and/or disclaims as a right-of-way a 10-foot unopened alley between the Main Street and Laura Street rights-of-way.

Background Information: The alley is located south of West 17th Street. The applicant, TRC JaxMain, LLC, is the only abutting property owner and has requested closure to allow for construction of a Family Dollar Store and associated parking. A \$1,500 closure application fee has been paid, and any governmental agency objections have been resolved.

Policy Impact Area: Real Estate-Closures

Fiscal Impact: Undetermined; a \$1,500 closure application fee has been paid

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-168

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: TEU; RCD

Date of Analysis: February 27, 2008

Type of Action: Street Closures

Bill Summary: This bill closes, abandons, and/or disclaims as a right-of-way portions of Flanders Street and West 21st Street.

Background Information: The closure area is opened and improved right-of-way created by plat. Closure has been requested by the City of Jacksonville, Dept. of Housing and Neighborhoods, to allow for development of a multi-use commercial property that will support the surrounding residential neighborhood as part of the Neighborhood Redevelopment Program. Any governmental agency objections have been resolved. Information from the Real Estate Division indicates that David Naddaf is the only abutting property owner.

Policy Impact Area: Real Estate-Closures

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-169

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 27, 2008

Type of Action: Deed Authorization

Bill Summary: This bill authorizes the Mayor, or designee, and Corporation Secretary to execute a deed conveying Fee Simple Limited Access Rights Only over specified property along Chaffee Road South to the Florida Dept. of Transportation.

Background Information: The property is located north of I-10, and conveyance is made in consideration of the sum of \$1. Information from the Real Estate Division states that the Florida Dept. of Transportation requires a City deed to convey Fee Simple Limited Access Rights Only over City the property for the purpose of complying with requirements for limited access right-of-way at interchanges.

Policy Impact Area: Real Estate; Streets and Highways

Fiscal Impact: Undetermined; conveyance consideration is \$1

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-170

Sponsor: Council President at the Request of the General Counsel

Date of Introduction: February 26, 2008

Committee(s) of Reference: LUZ

Date of Analysis: February 27, 2008

Type of Action: Adoption of Remedial Land Use Map Amendment

Bill Summary: This bill adopts a proposed Remedial Amendment to the Future Land Use Map Series of the 2010 Comprehensive Plan relative to 22.63 acres of land located on the north side of Beaver Street between Teague Road and Manson Lane, and owned by Capps Land Management, Inc., and Edwin H. Capps. The proposal would limit the development on the 19.87 acre parcel proposed to be designated Business Park to 30,000 gross square feet and limit the development on the 2.76 acre parcel proposed to be designated Light Industrial to 1,350 gross square feet, all pursuant to a Second Partial Stipulated Settlement Agreement regarding Division of Administrative Hearings Case No. 07-3539. The Remedial Amendment shall not become effective until (1) said settlement agreement has been executed by all of the parties and (2) a final order has been issued by the Florida Dept. of Community Affairs or Administration Commission finding the Remedial Amendment in compliance according to Florida Statutes.

Background Information: Ordinance 2007-353-E adopted a Comprehensive Plan Future Land Use Map amendment on the subject property, and that amendment was subsequently found to be not in compliance by the Florida Dept. of Community Affairs (DCA) due to traffic impacts. DCA initiated a formal administrative proceeding challenging the plan amendment, in which various parties have intervened. A settlement agreement limiting development has been proposed, and is the subject of pending Ordinance 2008-171.

Policy Impact Area: Land Use and Zoning

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2008-171

Sponsor: Council President at the request of the General Counsel

Date of Introduction: February 26, 2008

Committee(s) of Reference: LUZ

Date of Analysis: February 29, 2008

Type of Action: Approval of partial stipulated settlement agreement

Bill Summary: The bill approves a second partial stipulated settlement agreement between the City, the Florida Department of Community Affairs, and Capps Land Management, Inc., Edwin H. Capps and Valerie Britt to settle a dispute over a Comprehensive Plan land use amendment approved in 2007. The settlement agreement provides that the City will adopt a revised amendment to the Comprehensive Plan's Future Land Use Map to limit development on two parcels of Capps' property on Beaver Street - no more than 30,000 gross square feet of Business Park use on a 19.87-acre parcel, and no more than 1,350 square feet of Light Industrial use on a 2.76-acre parcel to (see pending Ordinance 2008-170).

Background Information: The land use amendment in question was approved by Ordinance 2007-353 and re-designated two parcels of land on Beaver Street from Low Density Residential to Business Park and Light Industrial classifications. The Department of Community Affairs issued a Statement of Intent to find the amendment not to be in compliance with the City's Comprehensive Plan and initiated a formal administrative proceeding to challenge the amendment based on a finding of insufficient evidence on the City's part that the proposed land use changes and subsequent development would not cause the roads in the area to exceed concurrency capacity. This settlement agreement, in conjunction with companion Ordinance 2008-170, will limit trip generation from the property to a level less than that generated under the current LDR land use designation.

Policy Impact Area: Legal settlement; future land use map amendment

Fiscal Impact: Undetermined; the settlement saves the cost of continued legal challenges

Analyst: Clements

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Bill Type and Number: Resolution 2008-172

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: RCD; TEU

Date of Analysis: February 29, 2008

Type of Action: Brownfield Designation

Bill Summary: This bill designates property located at 7152 Lone Star Road, Jacksonville, Florida 32211 (Arlington) as a Brownfield Area for environmental rehabilitation and economic development. The site is located in Council District 1.

Background Information: This property is owned by Tree Hill Nature Center, Inc. Tree Hill requests the City designate the property as a Brownfield Area, as authorized under the Florida Brownfields Redevelopment Act. Brownfield sites are abandoned, idled or under-used industrial commercial sites that hamper economic redevelopment because of perceived or real environmental contamination. By formally designating the area as a Brownfield site by the City, as required by Florida law, developers eligible for economic incentives. Tree Hill proposes to redevelop the property to create additional greenspace for recreational and educational purposes. The area shall be called the Tree Hill Nature Center Brownfield Area. Designation does not make the City liable for rehabilitation costs or source removal. The Community Development Division of the Housing and Neighborhoods Department recommends the designation.

Policy Impact: Brownfields/Economic Development/Housing & Neighborhoods Department

Fiscal Impact: Minimal

Analyst: Jackson

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2008-173

Sponsor: Council President at the request of the Mayor:

Date of Introduction: February 26, 2008

Committee(s) of Reference: RCD; TEU

Date of Analysis: February 29, 2008

Type of Action: Brownfield Designation

Bill Summary: This bill designates the property located at 3600 Thomas Street (Riverside), Jacksonville 32254, as a Brownfield Area for environmental rehabilitation and economic development. The site is located in Council District 9.

Background Information: The Opportunity Project, Inc. owns this particular property and proposes to restore the property for its best reuse by addressing environmental impacts created by prior uses and redeveloping the property for job creation and small business development. The Florida Brownfields Redevelopment Act stipulates that if a City formally designates an area a Brownfield Area, developers are eligible for economic incentives. The EPA defines Brownfields as sites that are abandoned, idled or under-used industrial or commercial sites that hamper economic expansion and redevelopment because of perceived or real environmental contamination. Designation does not make the City liable for the cost of site rehabilitation or source removal. The Community Development Division of the Housing and Neighborhoods Department recommends the designation.

Policy Impact: Brownfields/Economic Development/Housing and Neighborhoods Department

Fiscal Impact: Minimal

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2008-174

Sponsor: Council President at the request of the Jacksonville Housing Finance Authority:

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; RCD

Date of Analysis: February 29, 2008

Type of Action: Bond Issuance Approval

Bill Summary: This resolution approves the issuance by the Jacksonville Housing Finance Authority of its Multifamily Housing Revenue Bonds (The Arlington Multifamily Housing Portfolio), Series 2008, in an aggregate principal amount not to exceed \$27,500,000 for the purpose of financing the acquisition, rehabilitation and equipping of eight multifamily rental housing developments located in Jacksonville collectively referred to as the "Arlington Multifamily Housing Portfolio Project." Each housing unit is commonly known as: "Colony Apartments," "Forest Park Apartments," "Georgetown Apartments," "Greenbriar Apartments," "Matanzas Apartments," "Monterey Manor Apartments," "Sweetbriar I and II Apartments," and "Villa Capri I and II Apartments." The legislation stipulates that the Authority's bond issuance shall not constitute a debt, obligation or liability for the Authority, City State or subdivision or agency thereof. All of the housing projects are located in Council District 7.

Background: The laws of the State of Florida authorize and empower the Jacksonville Housing Finance Authority to issue mortgage revenue bonds for the purpose of providing funds to finance the debt of a "qualifying housing development." Arlington Housing, L.P., a Maine limited partnership, proposes to acquire, rehabilitate and equip the aforesaid mentioned housing developments and has requested the Authority to issue its Multifamily Housing Revenue Bonds for the purpose of financing all or a portion of the costs associated with the acquisition, rehabilitation, and equipping of the Arlington Multifamily Housing Portfolio Project by the borrower, Arlington Housing, L.P. The eight multifamily residential dwelling facilities are located at: 2705 Stardust Road; 3206 Justina Road; 5611 Holly Bell Road; 3031 Tall Pine Lane West; 5462 Matanzas Way; 1038 Caliente Drive; 5736 Merrill Road; and 3102 Tall Pine Lane West.

Policy Impact: Affordable Housing/Jacksonville Housing Finance Authority

Fiscal Impact: The resolution approves the Jacksonville Housing Finance Authority's issuance of revenue bonds in an aggregate amount not to exceed \$27,500,000. Neither the City, State nor agency is liable.

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2008-175

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 27, 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 easement for drainage, and/or temporary construction easement rights in various lands for the public purpose of constructing and maintaining improvements to Touchton Road between Belfort Road and Southside Boulevard. The Office of General Counsel is authorized and directed to institute appropriate legal proceedings.

NOTE: It appears that the exhibits may be misidentified.

Background Information: This action involves 22 parcels (6 fee simple, 1 permanent drainage easement, and 15 temporary construction easements) and a total appraised value of \$261,225, according to information from the Real Estate Division.

Policy Impact Area: Eminent Domain Proceedings; Real Estate; Office of General Counsel; Streets and Drainage

Fiscal Impact: Undetermined; the Real Estate Division advises that the appraised value of the parcels is \$261,225

Analyst: Campbell

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2008-176

Sponsor: Council President at the Request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F; TEU

Date of Analysis: February 27, 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 for drainage, and/or temporary construction easement rights in various lands for the public purpose of constructing and maintaining improvements to Ricker Road between Old Middleburg Road and Morse Avenue. The Office of General Counsel is authorized and directed to institute appropriate legal proceedings.

Background Information: Information from the Real Estate Division indicates that this action involves 30 parcels (10 fee simple, 2 permanent drainage easements, and 18 temporary construction easements) and a total appraised value of \$61,371.

Policy Impact Area: Eminent Domain Proceedings; Real Estate; Office of General Counsel; Streets and Drainage

Fiscal Impact: Undetermined; the Real Estate Division advises that the appraised value of the parcels is \$61,371

Analyst: Campbell

CITY COUNCIL RESEARCH DIVISION
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Bill Type and Number: Resolution 2008-177

Sponsor: Council President at the request of the Sheriff

Date of Introduction: February 26, 2008

Committee(s) of Reference: R

Date of Analysis: February 21, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Sheriff's appointment of Dwain E. Senterfitt as Director of the Department of Investigations & Homeland Security, within the Sheriff's Office, effective February 23, 2008.

Background Information: Section 37.109, *Ordinance Code*, provides that the Director of Investigations & Homeland Security shall have a college degree or at least five years' experience and commensurate training.

Chief Senterfitt has been employed with the Sheriff's Office since 1988, working his way up from Police Recruit to Police Lieutenant. He was appointed as an Assistant Chief in 2002 and as a Chief in 2003. Chief Senterfitt holds a bachelor's degree from Liberty University.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$96,137 - \$153,819 annually.

Analyst: Welsh

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LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2008-178

Sponsor: Council President at the request of the Sheriff

Date of Introduction: February 26, 2008

Committee(s) of Reference: R

Date of Analysis: February 27, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Sheriff's appointment of Richard M. Graham as Chief of the Detective Division, within the Sheriff's Office, effective February 23, 2008.

Background Information: Section 37.102(a), *Ordinance Code*, provides that Division Chiefs within the Sheriff's Office shall have a college degree or at least five years' training and experience.

Asst. Chief Graham has been employed with the Sheriff's Office since 1976, working his way up from Correctional Officer to Police Lieutenant in 1998, a position he held until his appointment as Assistant Chief in 2003. He received a bachelor's degree in Criminal Justice from Columbia College.

Policy Impact Area: Jacksonville Sheriff's Office operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$82,422 - \$131,875 annually.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2008-179

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: R

Date of Analysis: February 21, 2008

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Patterson C. Poppell as Chief of the Human Resources Division within the Department of Central Operations.

Background Information: Section 23.702, *Ordinance Code*, provides that the Chief of Human resources shall have a bachelor's degree or higher from an accredited college or university and at least five years' full time experience in an administrative or executive position in human resources management.

Mr. Poppell received a master's degree in industrial and organizational psychology from Valdosta State University and holds certification as a Senior Professional in Human Resources (SPHR). He has been employed with the City of Jacksonville, within the Human Resources Division, since 1999 working his way up from HR Analyst to Manager of Personnel Services in 2006. Mr. Poppell was appointed Chief of Organizational Support in February 2007, a position he held until that division was deleted as part of the last executive branch reorganization. He resides in St. Johns County.

NOTE: This bill may need to be amended to reflect that Mr. Poppell is being appointed as **Chief** of Human Resources, not Director.

Policy Impact Area: Central Operations Department / Human Resources Division operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$82,422 - \$131,875 annually.

Analyst: Welsh

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Bill Type and Number: Ordinance 2008-180

Sponsor: Council President at the request of the Mayor

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, PHS

Date of Analysis: February 29, 2008

Type of Action: Appropriation

Bill Summary: The bill appropriates \$20,996.37 in prior fiscal year lapsed funds to the North East Florida AIDS Network to increase the Network's funding from the Jacksonville Housing Commission to provide housing opportunities for persons with AIDS.

Background Information: The bill reappropriates federal funds that were appropriated to the North East Florida AIDS Network in FY 06-7 but were unspent at the end of the fiscal year. Those funds lapsed into fund balance at the end of the year, but are proposed to be returned to the agency in the current fiscal year to make up a shortfall in current year funding. While NEFAN was originally authorized an allocation of \$310,914 from the City's Housing Opportunities for Persons With AIDS (HOPWA) federal grant for FY07-08 in the Jacksonville Housing Commission's budget, that amount was not received from the federal government. This appropriation from fund balance would make up the shortfall in available current year funds.

Policy Impact Area: Specialty housing provision

Fiscal Impact: The bill reappropriates \$20,996.37 from prior year fund balance to the agency to which it was originally allocated.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION
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Bill Type and Number: Ordinance 2008-182

Sponsor: Council Member Bishop

Date of Introduction: February 26, 2008

Committee(s) of Reference: F, RCD, Waterways Commission

Date of Analysis: February 29, 2008

Type of Action: Appropriation; Ordinance Code waiver

Bill Summary: The bill appropriates \$100,000 from the Environmental Protection Board Trust Fund to fund a hydrological study on the effects of the proposed withdrawals of millions of gallons of fresh water from the St. Johns River in central Florida on the overall health and ecology of the river in Jacksonville. The bill waives the competitive solicitation requirement of the Procurement Code to permit a direct contract with Jacksonville University as one of the principal investigators of the study.

Background Information: Widespread attention has been paid in recent months to rumored proposals by central Florida cities and counties to apply to the St. Johns River Water Management District for consumptive use permits to withdraw millions of gallons of water from the St. Johns River to meet the growing potable water needs of central Florida. The Water Management District has announced its intention to undertake an up to 2-year project to study the hydrological flow of the river and to ascertain the effects of freshwater withdrawals. The City contracted in 2007 with Jacksonville University and the University of North Florida to review existing studies and data sets on the river and to compile a database of all known information about the river. This bill would expand on that starting point to further investigate the effects on the river in Jacksonville of reduced stream flow from upstream.

Policy Impact Area: St. Johns River health

Fiscal Impact: The bill appropriates \$100,000 from the Environmental Protection Board Trust Fund

Analyst: Clements