

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-339

Sponsor: Council President at the Request of the Tax Collector

Date of Introduction: April 28, 2009

Committee(s) of Reference: R; F

Date of Analysis: April 30, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$350,700 from an Interest Earnings account to cover the one-time costs of expanding the Hogan Road Tax Collector's Office to accommodate full driver license services. Provision is made for the carryover of appropriated funds to the 2009-2010 fiscal year. Emergency passage is being requested by the Tax Collector's Office in order to have the expanded office opened and providing full driver license services before the Florida Dept. of Highway Safety and Motor Vehicles closes its Beach Boulevard office and ceases services.

Background Information: The expansion is being requested as a result of the Dept. of Highway Safety and Motor Vehicles' closure of two offices in Duval County this year. The Tax Collector's Office anticipates this to be a revenue generator based on the projected number of transactions and fees to be retained for providing this vital service to the citizens of Duval County and the surrounding area. Proposed Ordinance 2009-340 approves a lease amendment to provide for an additional 3,000 square feet of office space in the Hogan's Corner Shopping Plaza to accommodate additional staff and equipment necessary to operate a driver license office.

Policy Impact Area: Office of Tax Collector

Fiscal Impact: Undetermined; \$350,700 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-340

Sponsor: Council President at the Request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: R; F

Date of Analysis: April 30, 2009

Type of Action: Lease Amendment Approval

Bill Summary: This bill approves the First Amendment to Lease Agreement between the City (Tax Collector's Office) and Hogan's Corner, LLC, authorizing execution by the Mayor and Corporation Secretary. The amendment provides for the lease of an additional 3,000 square feet of office space in the Hogan's Corner Shopping Plaza at 7060 Beach Boulevard to accommodate the additional staff and equipment necessary to operate a driver license office. Except for a new commencement date of July 1, 2009, the amended lease is to be governed by the terms and conditions of the original lease. Emergency passage is being requested by the Tax Collector's Office in order to have the expanded office opened and providing full driver license services before the Florida Dept. of Highway Safety and Motor Vehicles closes its Beach Boulevard office and ceases services.

Background Information: Proposed Ordinance 2009-339 appropriates \$350,700 to cover the one-time costs of expanding the Hogan Road Tax Collector's Office to accommodate full driver license services. The office space is located at 7120 Hogan Road, within the Hogan's Corner Shopping Plaza.

Policy Impact Area: Office of Tax Collector

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-341

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F

Date of Analysis: April 30, 2009

Type of Action: Lease authorization

Bill Summary: The bill authorizes the execution of a lease between the City (on behalf of the Tax Collector) and Crown Point Plaza Land Trust for 3,900 square feet of office space 10131-24 San Jose Boulevard for a Tax Collector branch office for a term of 1 year with 2 annual renewal options through September 30, 2013. The lease rate is \$4,521 per month, \$51,012 per year (\$13.08 p.s.f.), excluding utilities. The lease may be extended for 2 additional years beyond the original 1-year term at the same lease rate.

Background Information: The proposed lease is a new lease for the existing space where the Tax Collector has been doing business for a number of years for which options for renewal have expired. The Tax Collector is considering possibilities for moving to another location, either within the same shopping center (if other tenants move or are relocated and a better space is available) or in another center in the same vicinity. The 1-year lease with 2 renewal options will allow time for the search for new space to take place.

Policy Impact Area: Tax Collector operations

Fiscal Impact: The lease rate is \$13.08 p.s.f. for 3,900 sq.ft. or \$51,012 per year.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-342

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F, TEU

Date of Analysis: April 30, 2009

Type of Action: Appropriation; CIP amendment

Bill Summary: The bill appropriates \$750,000 as a transfer from the Better Jacksonville Plan – Dean Road project to the BJP – Hodges Boulevard project to increase the funding for the Hodges Boulevard project and allow the processing of several change orders. The bill also amends the 2009-13 Capital Improvement Program to reduce the total cost of the Dean Road project and increase the cost of the Hodges Boulevard project by \$750,000.

Background Information: The Hodges Boulevard project has been under construction for approximately 18 months and is behind schedule and somewhat over budget because of design changes. This bill shifts \$750,000 from the Dean Road BJP project, which is designed and has been bid, but for which construction is temporarily on hold pending better BJP sales tax cash flow, to the Hodges Boulevard project to bring it to completion.

Policy Impact Area: BJP roadway project funding

Fiscal Impact: The bill reallocates \$750,000 from the BDP-Dean Road project to the BJP-Hodges Boulevard project

Analyst: Clements

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Bill Type and Number: Ordinance 2009-343

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: April 30, 2009

Type of Action: Appropriation

Bill Summary: The bill appropriates \$184,174 of in-kind match in the form of the value of communication tower leases to increase the match for a "Public Safety Interoperable Communications" (PSIC) grant. The bill increases the in-kind match amount from \$736,695 to \$920,869 to correct an error by the state in the original grant contract.

Background Information: Several months ago the U.S. Department of Homeland Security, through the Florida Division of Emergency Management, awarded the Northeast Florida region (13 counties) a \$3.68 million grant to purchase interoperable communications equipment that would permit the sharing of emergency voice, data and video transmissions throughout the region. The grant documents prepared by the state originally reflected a 20% local match but that match factor was later determined to be in error. The grant actually requires a 25% match and the state has produced a new grant contract and requested an increase in the local match of \$184,174. Jacksonville, as the primary recipient of the grant, matched the original grant percentage with the in-kind value of leases on the city's communications towers. This bill increases the value of that match by the additional \$184,174; no cash match is required.

Policy Impact Area: Public safety; grant match

Fiscal Impact: The bill increases the City's grant match amount by \$184,174 in the form of additional tower lease in-kind value.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-344

Sponsor: Council President at the Request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: April 30, 2009

Type of Action: Appropriation/CIP Amendment

Bill Summary: This bill appropriates \$305,269.85 from the Tree Protection and Related Expenses Trust Fund to provide funding for the landscaping of Stockton Street Towncenter. Provision is made for the carryover of appropriated funds to the 2009-2010 fiscal year. The Five-Year Capital Improvement Program is amended for the Stockton Street Towncenter – Landscaping project.

Background Information: The project is located in the vicinity of Stockton Street and College Street.

Policy Impact Area: Tree Protection and Landscaping; Towncenters

Fiscal Impact: \$305,269.85 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-351

Sponsor: Land Use and Zoning Committee

Date of Introduction: April 28, 2009

Committee(s) of Reference: LUZ

Date of Analysis: April 30, 2009

Type of Action: Development Order Amendment

Bill Summary: This bill amends the development order for the Bartram Park Development of Regional Impact to incorporate certain proposed changes and modifications contained in a Notification of Proposed Change dated March 20, 2009. It is found and determined that said changes and modifications do not constitute a substantial deviation under Florida Statutes. The Legislative Services Division is directed to forward a certified copy of the ordinance to specified parties, and adoption is deemed to be a quasi-judicial action of the Council.

Background Information: The proposed changes include: (1) changing the phasing schedule for residential, hotel, office, and commercial uses, increasing the office, commercial, and residential uses and decreasing the hotel uses; (2) replacing the offsite transportation requirements by parcel groupings table; (3) revising the minimum and maximum table to increase office uses and reduce hotel uses; and, (4) revising the schedule for the construction of Race Track Road to allow for credit for proportionate fair share obligations for the construction.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-352

Sponsor: Council President at the Request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: April 30, 2009

Type of Action: Appropriation/CIP Amendment

Bill Summary: This bill appropriates \$271,767.21 from the Tree Protection and Related Expenses Trust Fund to provide funding for the landscaping of Oceanway Towncenter. Provision is made for the carryover of appropriated funds to the 2009-2010 fiscal year. The Five-Year Capital Improvement Program is amended for the Oceanway Towncenter – Landscaping project.

Background Information: The project is located in the vicinity of Oceanway Avenue and New Berlin Road.

Policy Impact Area: Tree Protection and Landscaping; Towncenters

Fiscal Impact: \$271,767.21 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-353

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F, TEU

Date of Analysis: April 30, 2009

Type of Action: Approval of mortgage subordination agreement and partial release of mortgage(s)

Bill Summary: The bill authorizes the execution of a mortgage subordination agreement and partial release of mortgage(s) from the City to the Florida Department of Transportation to facilitate an FDOT project at the Sherwood Forest Shopping Center on which the City holds a second mortgage.

Background Information: The City holds a second mortgage on the shopping center at the corner of Soutel Drive and Archery Avenue as a result of a 2004 JEDC economic redevelopment incentive grant and loan package for renovation of the center. The FDOT is designing roadway improvements and construction of a transit shelter on a portion of the shopping center property which requires acquisition of a fee simple parcel (83,428 sq. ft.) and an easement (2,199 sq. ft.) from the owners, Holzendorf Properties, LLP. Since the City holds a mortgage on the property, a mortgage subordination agreement and partial release is required to permit Holzendorf Properties to convey the property and easement for the project to take place.

Policy Impact Area: Mortgage release

Fiscal Impact: None to City.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-354

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: May 1, 2009

Type of Action: Easement Granting Authorization

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, a Conservation Easement granting a conservation easement over 5.506 acres of the 17.53 acre Pond Site of the Rampart Road Improvements Project, a Better Jacksonville Plan II Project (the "property") to the St. Johns River Water Management District (SJWMD) as a condition of Permit #4-031-172332-15 for the Argyle Forest Blvd. widening project ("project"), issued to the City by SJRWMD to offset adverse impacts to natural resources, fish and wildlife, and wetland functions resulting from the project, completed by the Jacksonville Transportation Authority, and to prevent any use of the property that will impair or interfere with the environmental value of the property. The easement and project site are located in Council District 14.

Background: This bill authorizes the Mayor to grant a Conservation Easement to SJRWMD over a portion of the pond site of the Rampart Road Improvement Project, BJPII. The Conservation Easement is required by SJRWMD as a condition of the Permit #4-031-17232-15, issued by SJRWMD. This easement is to off-set adverse impacts resulting from the Argyle Forest Blvd widening project, completed by JTA. In addition, the easement will off-set adverse impacts to natural resources, fish and wildlife and wetland functions.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-355

Sponsor: Council President at the request of the Sheriff

Date of Introduction: April 28, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: April 30, 2009

Type of Action: Adoption of standard police substation and stop station lease agreements

Bill Summary: The bill adopts standard lease agreements for Sheriff's Office substations and stop stations and authorizes the JSO to enter into such agreements with building owners.

Background Information: The standard agreements are for terms of 4 years with an additional 4-year renewal option. The facilities are to be provided at no cost to the JSO, although the substation agreement contains a provision that authorizes the Sheriff to pay for utility costs and the stop station agreement provides that the Sheriff may make reasonable improvements to a facility necessary to put it in a usable condition for a stop station at a cost to the City not to exceed \$1,000. Currently the JSO enters into non-standard lease agreements on a case-by-case basis with property owners for substation and stop station locations. This bill provides a standard lease form for the purpose.

Policy Impact Area: Public safety; lease agreement standardization

Fiscal Impact: Undetermined, depending on whether the Sheriff's Office would pay for utilities at a substation or would pay to renovate or improve space for a stop station.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-356

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: May 1, 2009

Type of Action: Authorization for Real Property Purchase

Bill Summary: This ordinance approves the purchase of two parcels of real property. Parcel 110, consisting of 0.367 acres from Betty Jean Brown for \$196,250, and Parcel 113, consisting of 0.242 acres, from Allen B. Keiton and Vanessa E. Keiton for \$200,000, for the construction of a retention pond to accommodate storm water drainage for the Lincoln Villas Storm Water Improvements Phase II Project, both purchases being whole takings; authorizing the Mayor and Corporation Secretary to execute all closing documents and to take necessary action to implement the purchase of the real property.

Background: The parcels of real estate and stormwater improvement project are located in Council District 8. The appraised value of Parcel 113 is \$165,000.00. The last counter offer from the property owner was \$250,000. Through further negotiations, \$200,000 was agreed upon. The appraised value for Parcel 110 is \$196,250.00. The agreement will avoid any expert witness fees, attorney fees and additional appraisal fees. Both parcels are the homesteaded property of the respective owners.

Policy Impact: Public Works/Real Estate

Fiscal Impact: This ordinance authorizes the purchase of two parcels for the amounts of \$196,250.00 and \$200,000.00 respectively.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-357

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

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: May 1, 2009

Type of Action: Housing Project Finance Revision

Bill Summary: This ordinance approves a revision to the current promissory note for VCP-Collins Road, LTD. (Courtney Manor Apartments) to allow for the release of the Letter of Credit associated with the Courtney Manor Apartments Project and the substitution of a third lien mortgage on the project subject to the following conditions: (1) execution of the third mortgage loan documents; (2) written approval of the third mortgage loan documents and increased Extremely Low Income (ELI) set aside from Fannie Mae, the first mortgage lender; (3) receipt of certification/estoppel certificate from borrower and Fannie Me confirming that the project is not now, and is not expected to be, in default; (4) the project's increasing its annual mortgage payment from \$18,800 to \$25,067, thereby shortening the term of the mortgage from 40 years to approximately 33 years; (5) the project's maintaining existing Land Use Restriction Agreement (LURA) at 40 years but changing terms as needed so as to set aside 25 units to serve ELI households earning no more than 35% of Area Media Income (AMI) for a period of five years; (6) requiring escrow of \$601,600 with party agreeable to the Jacksonville Housing Finance Authority (JHFA) with releases to be approved by the JHFA's servicer for documented operating deficits or repairs; and (7) the project's being responsible for paying all costs of the transaction, including all legal and professional fees; authorizing the Mayor and Corporation Secretary to execute and deliver documents and take further action to implement the purpose of this ordinance.

Background: This ordinance will approve substitution of a 3rd lien mortgage for a letter of credit currently held as collateral on the VCP Collins Road, Ltd (Courtney Manor Apartments) project. This is a Vestcor property. The ordinance will increase the annual mortgage payment and shorten the term of the current promissory note. In addition, the ordinance will stipulate that 25 units be set aside to serve extremely low income (ELI) households earning no more than 35% of Area Median Income (AMI) for a period of five years. The apartment complex is located at 5620 Collins Road, Jacksonville 32244, Council District 14.

Policy Impact: Housing & Neighborhoods Department/Jacksonville Housing Finance Authority

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-358

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: April 30, 2009

Type of Action: Authorization to execute funding and lease agreement; appropriation; reversion of unused funds

Bill Summary: The bill authorizes the execution of a funding agreement between the City and the University of Florida Foundation, Inc. to facilitate the purchase of a building and an assignment of a ground lease for properties located on West 10th Street for inclusion in the Shands Jacksonville Medical Center campus. The bill appropriates \$2.3 million in proceeds recaptured from the recent refund and refinancing of the City's bonds issued for the benefit of the Shands proton therapy center to fund the purchase, although the building is not being acquired for use by the proton therapy center.

Background Information: The building to be acquired is the North Florida Blood Alliance building, including 2 fee simple parcels of land and the assignment of a ground lease with the City currently held by the Alliance on a third parcel. Although the exhibits attached to the bill include a lease agreement among Shands, the City and the Blood Alliance for the Alliance to continue in the building on a month-to-month basis, the building has already been vacated by the Blood Alliance and is ready for occupancy by Shands. The City has received an opinion from outside bond counsel stating that the proceeds of the refinancing may be used for any public purpose, including this purchase, and are not restricted to proton therapy center-related uses.

Policy Impact Area: Public health and welfare improvement

Fiscal Impact: The bill appropriates \$2.3 million in bond refinancing proceeds for the purchase of the building.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-359

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: May 1, 2009

Type of Action: Ordinance Amendment

Bill Summary: This ordinance repeals Chapter 204, *Ordinance Code* (Speedways) in its entirety; amends Chapter 360 (Environmental Regulation), *Ordinance Code*, to amend 360.106 Definition of Person, to amend 360.497 to authorize the Recovery of Attorneys Fees and Costs in a Judicial Action, to amend Section 360.111 to authorize Enforcement Before a Variance Request is Finalized and to amend Section 360.701 Ticketing Authority; amending Chapter 368 (Noise Control), *Ordinance Code*, to amend Section 368.104, Definitions, to amend Section 368.105, Exceptions, to amend Section 368.107, Adoption of Standards; to amend Chapter 368 Part 2, to clarify noise disturbances and maximum permissible noise limits; to strike Chapter 368 Part 3 Enforcement and amend and renumber Chapter 368 Part 4, Violations and Civil Penalties to now be Chapter 368 Part 3 Enforcement, to create new Section 368.304, Variances, to create new Section 368.305, Appeals; amending Chapter 123 (Public Fees), *Ordinance Code*, to authorize fees for variances applications pursuant to Chapters 360 and 366, *Ordinance Code*.

Background: This ordinance consists of numerous *Ordinance Code* amendments to update the *Code* and includes: the elimination of Chapter 204 (Speedways) in its entirety, as there are no longer any speedways in the county; amends Chapter 360 (Environmental Regulation) to update the noise ordinance and provide additional enforcement remedies to regulate dumpsters; amending Chapter 123 (Public Fees) to authorize fees for noise variances.

Policy Impact: Ordinance Code

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-360

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: May 1, 2009

Type of Action: Ordinance Code Amendment

Bill Summary: This ordinance amends Chapter 366 (Groundwater Resource Management), *Ordinance Code*, and Chapter 752 (Jacksonville Reuse of Reclaimed Water Program), *Ordinance Code*, to correct and clarify jurisdictional applicability; making such corrections retroactive and finding that such corrections do not adversely affect any procedural or substantive due process rights of any affected party; to codify ticketing authority pursuant to 2008-28-E, and 2008-346-E; to amend watering schedule to increase amount of water that may be applied to zone during Daylight Savings Time and to amend watering schedule to one day per week during Eastern Standard Time to reflect recent water management district rule changes; to amend exception to watering schedule to provide that irrigation systems may be operated for 20 minutes for maintenance and repair purposes.

Background: Under state law, local governments that enact water management district water conservation measures are required to update their regulations to maintain consistency with the applicable water management district regulations. St. Johns River Water Management District recently adopted rules allowing irrigation only 1 day per week during the Eastern Standard Time period (from November to March). In addition, SJRWMD increased the amount of water allowed to be applied per zone during Daylight Savings Time. This legislation is to conform the City's irrigation conservation measures to the SJRWMD requirements. In addition, this legislation will clarify jurisdictional authority and codify ticketing authority as originally proposed in ordinances 2008-28-E and 2008-346-E.

Policy Impact: Environmental & Compliance Department/Environmental Quality Division/Groundwater

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-361

Sponsor: Council President at the request of the Office of General Counsel:

Date of Introduction: April 28, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: May 1, 2009

Type of Action: Agreement Amendment; Appropriation

Bill Summary: This ordinance, in conformance with Section 108.505, *Ordinance Code*, and Resolution 2008-181-A, Ordinance 2008-537-E and Ordinance 2008-1068-E, approves the amendment of the Engagement Agreement with Greenberg Traurig, Special Counsel to the City's claims against Seminole County and the St. Johns River Water Management District regarding the removal of water from the St. Johns River; provides for a maximum indebtedness of \$592,250.30 of which \$507,250.30 has already been appropriated; appropriates \$85,000 from the Office of General Counsel Retained Earnings account for the engagement; provides for a reverter of funds.

Background: To protect the City's rights and interests in the proposed permit of Seminole County to withdraw water from the St. Johns River for the Yankee Lake project, the City retained Greenberg Traurig as special counsel. Ordinance 2008-537-E appropriated \$400,000 from the Environmental Trust Fund to fund the special counsel. The proceedings that included motion practices, extensive discovery and an 11-day trial before an administrative law judge are nearing conclusion. The costs of the special counsel's expert, professional services have exceeded the anticipated costs. Council enacted Ordinance 2008-1068 that appropriated \$107,250.30 from Retained Earnings to fund experts who testified at trial and directed the Office of General Counsel to negotiate a reduction of the remaining legal bill of approximately \$125,000. Special Counsel reduced its requested fees (per April 7, 2009 letter) to \$85,000. This legislation authorizes the Office of General Counsel to increase the maximum not-to-exceed expenditure for special counsel expenses from \$507,250.30 to a grand total of \$592,250.30. Appropriating \$85,000 completes the engagement of special counsel.

Policy Impact: Office of Special Counsel

Fiscal Impact: This ordinance appropriates \$85,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-362

Sponsor: Council Member Crescimbeni

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 30, 2009

Type of Action: Direction to Pursue Declaratory Relief

Bill Summary: This bill directs the Office of General Counsel to file a complaint to pursue a declaratory relief action with Trail Ridge Landfill, Inc., in a court of competent jurisdiction, to secure a resolution to all known and actionable disputes regarding the Landfill Operation Agreement and any other disputed matters or controversies between the City and Trail Ridge Landfill, Inc., associated with landfill operations. The General Counsel is further directed to pursue such declaratory relief at the earliest practicable opportunity, and to prosecute the claims so as to arrive at a judicial resolution at the earliest practicable opportunity.

Background Information: The City owns the Trail Ridge Landfill and has entered into agreements with Trail Ridge Landfill, Inc., for the acquisition, permitting, design, construction, and operation of the existing landfill facility. The existing landfill facility has a remaining operational life under applicable permits of approximately seven years, and the City has a long-term continuing need for the landfill beyond the operational life of the existing facility. In the bill, the Council finds that there is sufficient time and opportunity to resolve the legal disputes concerning the length and duration of the existing Landfill Operation Agreement prior to executing future contracts or conducting competitive bidding for landfill services. It is further found that the competitive and financial risks of pursuing legal action are outweighed by transparency and open government benefits associated with bringing the legal issues to resolution.

Policy Impact Area: Trail Ridge Landfill; Solid Waste Management; Office of General Counsel

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Resolution 2009-369

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 24, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Robert A. Buehn as Chief of Military Affairs, Veterans and Disabled Services within the Recreation and Community Services Department.

Background Information: Section 28.501, *Ordinance Code*, provides that the Chief of Military Affairs, Veterans and Disabled Services shall have a bachelor's degree or higher from an accredited college or university and have at least five years of administrative experience in at least one of the areas of responsibility. Retired Navy Capt. Robert Buehn is a career military officer and has served tours at all Jacksonville Navy bases. He most recently served as the Commanding Officer of the Fleet Area Control and Surveillance Facility at Jacksonville Naval Air Station. Capt. Buehn received a bachelor's degree in journalism from the University of Florida and a master's degree in National Security and Strategic Studies from the U.S. Naval War College. He resides in Clay County.

Policy Impact Area: Recreation and Community Services Department / Military Affairs, Veterans and Disabled Services Division operations

Fiscal Impact: According to Human Resources, the salary range for this position is \$76,317 to \$122,107 annually.

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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Bill Type and Number: Resolution 2009-370

Sponsor: Council President Fussell

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 24, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Melody Starr Bishop to the board of the Jacksonville International Airport (JIA) Area Redevelopment Agency, replacing Ingrid Freeman-Claxton as the representative for School Board District 1, for a first full four-year term beginning July 1, 2009 and ending June 30, 2013.

Background Information: Per Ordinance 90-409-293, which created the JIA Area Redevelopment Agency, the board consists of seven members appointed by the Council, one each from the seven School Board districts. Ms. Bishop received a bachelor's and master's degree in architecture from the University of Florida and is an Architect with *Akel Logan Shafer*. She has previously served on the Jacksonville Landscape Commission. Ms. Bishop resides in the Clifton area within Council District #2.

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-371

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 24, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Janetta Norman as a member of the Planning Commission, as an alternate member, for an initial term ending October 1, 2010.

Background Information: Sec. 30.201(a), *Ordinance Code*, provides for three alternate members on the Planning Commission to be appointed by the Mayor and confirmed by Council. The alternate members shall either be former Planning Commission members or former City Council members who have served on the Land Use and Zoning Committee of the City Council.

Dr. Norman received a doctorate degree in administration and supervision, and educational leadership from Nova University and served on the Planning Commission from 1994 to 2001. She has previously served on the Jacksonville Community Relations Commission, Taxation, Revenue & Utilization of Expenditures Commission, Jacksonville Human Rights Commission, and Stormwater Advisory Committee. Dr. Norman resides in the Moncrief area within Council District #8.

Policy Impact Area: Planning Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-372

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 24, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Joseph E. Noll as a member of the Planning Commission, as an alternate member, for a first full three-year term ending October 1, 2012.

Background Information: Sec. 30.201(a), *Ordinance Code*, provides for three alternate members on the Planning Commission to be appointed by the Mayor and confirmed by Council. The alternate members shall either be former Planning Commission members or former City Council members who have served on the Land Use and Zoning Committee of the City Council.

Mr. Noll is a Project Manager with *Rink Design Partnership, Inc.* and served on the Planning Commission from 1992 to 1997. He resides in Council District #13.

Policy Impact Area: Planning Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-373

Sponsor: Council President at the request of the Mayor

Date of Introduction: April 28, 2009

Committee(s) of Reference: R

Date of Analysis: April 24, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Marvin Hill as a member of the Planning Commission, as an alternate member, for a first term ending October 1, 2011.

Background Information: Sec. 30.201(a), *Ordinance Code*, provides for three alternate members on the Planning Commission to be appointed by the Mayor and confirmed by Council. The alternate members shall either be former Planning Commission members or former City Council members who have served on the Land Use and Zoning Committee of the City Council.

Mr. Hill, a retired Architect, received a bachelor's degree in architecture from Auburn University. He served on the Planning Commission from 1999 to 2005. Mr. Hill resides in the Sunbeam area within Council District #5.

Policy Impact Area: Planning Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh