

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2009-688

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: August 28, 2009

Type of Action: Appropriation; Positions Approval

Bill Summary: This ordinance appropriates \$718,278 (\$574,622 in a continuation grant funding from the U.S. Department of Labor and an in-kind match of \$143,656) to administer the YouthBuild Program, a program that provides disadvantaged offenders between the ages of 16 and 24 opportunities to earn a GED and to learn and develop vocational and life skills while increasing the supply of affordable housing in Duval County, for the grant period July 1, 2009, to June 30, 2012, as initiated by B.T. 09-152; providing a carryover of funds to subsequent fiscal years; authorizing the Mayor and Corporation Secretary to execute and take further action to implement the purpose of this ordinance; approves positions, as initiated by R. C. 09-422; provides for City oversight by the Department of Recreation and Community Services.

Background: This program has been underway since 1996 and provides assistance to the City's hardest to serve youth. The participants, males ages 16-24, work in conjunction with Habijax, Housing Partnership of Jacksonville, gaining skills in the renovation of homes, building ramps for homes and other work that results in increased affordable housing for the low-income community. The program has proven to provide these young males with opportunities to take control of their lives in a far more meaningful way than incarceration. The positions funded include: social services supervisor; correctional services counselor; construction program instructor; correctional services counselor; social services counselor; construction program instructor assistant.

Policy Impact: Recreation & Community Services Department/Office of Juvenile Justice & Offender-Based Programs/YouthBuild Program

Fiscal Impact: This ordinance appropriates \$718,278 in a U.S. Department of Labor grant, coupled with an in-kind match.

Analyst: Jackson

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(904) 630-1377

117 West Duval Street
City Hall, Suite 425
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Bill Type and Number: Ordinance 2009-689

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: August 27, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$712,012 from the Florida Division of Emergency Management to provide grant funding to reimburse the City of Jacksonville for up to said amount relative to construction costs of the Northwest Community Center. Authorization is given for the Mayor and Corporation Secretary to execute the Federally Funded Subgrant Agreement and to take further action to effectuate the purposes of this ordinance. Provision is made for appropriated funds to carryover to the 2010-2011 fiscal year. The Dept. of Recreation and Community Services is required to oversee the project.

Background Information: The federal funding share is \$694,290 and there are administrative costs in the amount of \$17,722. The agreement period is from January 26, 2009, through August 13, 2011.

Policy Impact Area: Recreation and Community Services

Fiscal Impact: Undetermined; \$712,012 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-690

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 27, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$1,677,930 from the Tree Protection and Related Expenses Trust Fund to provide funding for street tree planting in four neighborhoods as part of the mitigation for the Lonnie Miller Park, Forest Street, 5th and Cleveland, and Brown's Dump ash sites. The 2009-2014 Capital Improvement Program (CIP) is amended to increase funding for the relative projects. It is requested that the Mayor appoint the Public Works Dept. to oversee the project and ensure compliance with appropriate laws. The Procurement Division is required to use the City-wide tree planting bid of the successful bidder on the continuing contract in effect at the time of the planting.

Background Information: The project estimated expenditures, as shown on the CIP project information sheets, is as follows: Lonnie Miller Park Ash Site-Street Tree Planting, \$231,135; Forest Street Ash Site-Street Tree Planting, \$587,850; 5th and Cleveland Ash Site-Street Tree Planting, \$494,215; and, Brown's Dump Ash Site-Tree Planting, \$364,730.

Policy Impact Area: Ash Site Mitigation; Landscaping and Tree Protection; Capital Improvements

Fiscal Impact: \$1,677,930 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-691

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

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

Date of Analysis: August 27, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$95,000 from the Handicapped Parking Fines Trust Fund to the Military Affairs, Veterans and Disabled Services Division. Provision is made for the carryover of appropriated funds to the 2010-2011 fiscal year. Said division is required to file a report with the Office of Council Auditor every 6 months on the status of the appropriated funds.

Background Information: The appropriation is made to continue the provision of miscellaneous and emergency client assistance to persons with disabilities, as well as sponsorship of various community activities for which the purpose is to improve the accessibility, awareness, and quality of life for people with disabilities. Funded items include interpreting services, emergency assistance, special events, smoke detectors for the hearing impaired, wheelchair repairs, construction of wheelchair ramps, and home modification. Information on file states that the appropriation is funded entirely from revenues already deposited and posted to the Handicapped Parking Fines Trust Fund via the Tax Collector.

Policy Impact Area: Disabled Services

Fiscal Impact: Undetermined; \$95,000 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-692

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: August 28, 2009

Type of Action: Appropriation; Agreement Authorization; CIP Amendment

Bill Summary: This ordinance appropriates \$235,000 from the Florida Department of Transportation (FDOT) for the construction of a multi-use trail connecting the Cecil Field Trail to the Jax Baldwin Trail, as initiated by B.T. 09-162; provides for a carryover of funds to Fiscal Year 2010-2011; authorizes the Mayor and Corporation Secretary to execute a Local Agency Program Agreement between the City and FDOT; amends the 2009-2014 Five-Year Capital Improvement Program, approved by Ordinance 2009-513-E, to increase funding for the "Cecil Field Trail to Jax-Baldwin Trail" project.

Background: The trail will be used for hiking, biking and horseback riding.

Policy Impact: Cecil Field/Recreation and Community Services Department/Jax-Baldwin Trail

Fiscal Impact: This ordinance appropriates \$235,000 from FDOT

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-693

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: August 28, 2009

Type of Action: Appropriation; Agreement Authorization; CIP Amendment

Bill Summary: This ordinance appropriates \$470,000 from the Florida Department of Transportation (FDOT) for the construction of a multi-use trail connecting Jax Baldwin Trail to Cary State Forest, as initiated by B.T. 09-163; proves for a carryover of funds to Fiscal Year 2010-2011; approves and authorizes the Mayor and Corporation Secretary to execute a Local Agency Program Agreement between the City and FDOT and take further action to implement the purpose of this ordinance; amends the 2009-2014 Five-Year Capital Improvement Program, approved by Ordinance 2009-513-E, to increase funding for the "Jax-Baldwin Trail to Cary State Forest" project.

Background: The trail will be used for hiking, biking and horseback riding.

Policy Impact: Recreation & Community Services Department/Jax-Baldwin Trail

Fiscal Impact: This ordinance appropriates \$470,000 from FDOT

Analyst: Jackson

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Bill Type and Number: Resolution 2009-694

Sponsor: LUZ Committee

Date of Introduction: August 25, 2009

Committee(s) of Reference: LUZ

Date of Analysis: August 27, 2009

Type of Action: Resolution of final appeal of Historic Preservation Commission ruling

Bill Summary: The bill adopts the LUZ Committee's recommendation regarding a property owner's appeal of the Historic Preservation Commission's denial of an application to demolish a structure at 1553 North Market Street in the Springfield historic district.

NOTE: at the time of introduction the bill does not have a recommendation from the LUZ Committee attached; the committee will hold a public hearing and produce a recommendation which will be appended to the bill via amendment before final consideration.

Background Information: Maoz Barav (d.b.a. RIM Properties, Inc.) filed an application in May for permission to demolish a structure at 1553 North Market Street, which the Historic Preservation Commission denied at its July meeting. Mr. Barav has appealed to the City Council to overturn the decision of the commission and permit the demolition of the structure. The structure was a neighborhood retail store on the ground floor and had an apartment on the second floor. The building has been vacant for several years since being closed by the City's DART team for code violations and drug sales taking place on the premises. The owner has been unable to obtain financing to renovate the building for commercial use and is being cited by the City for property maintenance code violations.

Policy Impact Area: Historic preservation

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2009-697

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 28, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$900,000 from the Contract Garbage/Recycling Account to provide the supplemental funding needed to complete restoration of the South Mulch Site to pre-lease conditions pursuant to the terms of the existing Lease Agreement, as initiated by B.T. 09-165.

Background: The City has contracted to operate a new mulch site in Northwest Jacksonville (Old Kings Road Landfill). The Lease Agreement with the current owner of the mulch site on Philips Highway stipulated that the City would restore the site to its pre-lease condition prior to the return of the site to the owner. Original restoration estimates were based upon preliminary survey data conducted in 2005. The costs for restoration have increased considerably. Savings from a decrease in the price per gallon of fuel has resulted in savings that provide additional funding for the restoration project at the mulch site at 11771 Philips Highway.

Policy Impact: Public Works/Solid Waste

Fiscal Impact: This ordinance appropriates \$900,000

Analyst: Jackson

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FAX (904) 630-3403

Bill Type and Number: Ordinance 2009-698

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 28, 2009

Type of Action: Agreement Amendment Authorization/Appropriation

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute and deliver a first amendment to the Second Lease Extension Agreement between the City of Jacksonville and Sphinx Management, Inc. for the lease of the South Mulch Site located at 11771 Philips Highway so as to increase the maximum indebtedness for the lease by \$210,000, and take whatever actions necessary to implement the purpose of this ordinance.

Background: The City has leased the site at 11771 Philips Highway for several years as the City's yard waste processing facility for the south/east side of the City. A new site on at Old Kings Road Landfill in Northwest Jacksonville has been contracted for yard waste processing. The City is required to restore the South Mulch Site to its pre-lease condition prior to the return of the Site to the owner. Original restoration estimates were based on preliminary survey data conducted in 2005. Since that date, facility operations have resulted in additional impacts to the property requiring additional fill volumes and the removal of an organic layer not included in the original estimate. The Second Lease Extension Agreement (approved by the City in Ordinance 2009-231-E) authorized a month-to-month extension of the Lease through December 31, 2009, but the maximum indebtedness only funded the period from January 1, 2009 through June 30, 2009. Additional funding is needed for payment of \$30,000 in rent together with associated property taxes for each of the remaining seven months of the Lease, July 1, 2009 through December 31, 2009. Based upon current projects, the restoration work will not be completed until December 2009.

Policy Impact: Public Works/Solid Waste

Fiscal Impact: This ordinance appropriates \$210,000 by an amended Lease Agreement that increases the indebtedness for the lease.

Analyst: Jackson

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(904) 630-1377



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Bill Type and Number: Ordinance 2009-699

Sponsor: Council President at the request of the Mayor:

Date of Introduction: April 25, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: August 28, 2009

Type of Action: Appropriation

Bill Summary: This ordinance provides for the City's participation in the Community Development Block Grant – Recovery ("CDBG-R") Funding Program and Budget for the 2009-2010 Fiscal Year, as authorized by the American Recovery and Reinvestment Act of 2009 (ARRA); establishes a Revenue Fund account for CDBG-R Program funds; appropriates \$1,817,335 in CDBG-R Program funds to the City of Jacksonville Housing and Neighborhoods Department for authorizing and funding (1) a Green Workforce Training Program for Community Rehabilitation Center, Inc. (\$136,300), (2) a Green Jobs Initiative Program for the Jacksonville Housing Authority (\$1136,300), (3) a Janitorial/Environmental Program for Clara White Mission, Inc. (\$128,800), (4) a Kitchen Conversion/Bakery Program for Community Connections of Jacksonville, Inc. (\$49,740), (5) a Green Workforce Program for Community Rehabilitation Center, Inc. (\$259,461) (6) an Expansion of Business Incubator Program for Fresh Ministries, Inc. (\$925,000) and (7) administrative costs of the Housing and Neighborhoods Department (\$181,734), all as initiated by B.T. 09-167; provides for a carryover of funds to Fiscal Year 2010-2011; provides for further Council action if revenue differs.

Background: The United States Department of Housing and Urban Development awards to local governments Community Block Development Grant – Recovery Program funds, as authorized by the American Recovery and Reinvestment Act of 2009 and the local government may further award the CDBG-R funds to recipient organizations. The purpose of the CDBG-R Program is to provide public service activities and public facilities and improvement activities that maximize job creation and economic benefit, principally for low and moderate income persons. The City of Jacksonville is expected to receive \$1,817,335 in CDBG-R funds from the United States Department of Housing and Urban Development on or about October 1, 2009, and these monies require appropriation.

Policy Impact: Housing and Neighborhood Department/Community Development Block Grant - Recovery

Fiscal Impact: This ordinance appropriates \$1,817,335

Analyst: Jackson

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(904) 630-1377



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Bill Type and Number: Ordinance 2009-700

Sponsor: Council Member Yarborough

Date of Introduction: August 25, 2009

Committee(s) of Reference: TEU

Date of Analysis: August 27, 2009

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 804.1302, Ordinance Code, relative to the towing of vehicles for compensation, to require that all documentation required by Florida Statutes or the Jacksonville Municipal Ordinance Code be retained within the jurisdictional limits of the City of Jacksonville.

Background Information: The legislation states that such documentation includes, but is not limited to, tow away authorization forms, notices of claims of lien, and correspondence.

Policy Impact Area: Traffic Code-Towing of Vehicles

Fiscal Impact: Undetermined

Analyst: Campbell

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(904) 630-1377

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Bill Type and Number: Ordinance 2009-701

Sponsor: Council Member Webb

Date of Introduction: August 25, 2009

Committee(s) of Reference: R, F

Date of Analysis: August 27, 2009

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 106 – Budget and Accounting Code – to create a new section providing for a Tentative General Government Budget to be prepared by the Mayor and filed with the City Council no later than May 1st each year. The tentative budget submission, which shall include both an operating and a capital budget, shall include information about projected revenues and expenses, contingencies, reserves, and millage rates for the upcoming fiscal year. The Council is required to act on the tentative budget by resolution by June 30th each year, giving the Mayor guidance about general government expenditures and the proposed millage rate for use in preparing the final budget proposal for presentation to the Council no later than July 15th.

Background Information: The preamble to the bill states that the current budgetary process does not provide the City Council with sufficient time to responsibly research and analyze the mayor's proposed budget before having to make a decisions on the budget (i.e. on a tentative millage rate to be advertised by the Property Appraiser in the TRIM notice). This year's process demonstrated the difficulty that may occur in having to take up the tentative millage levy as an emergency to meet the Property Appraiser's early August notification deadline for advertising purpose.

Policy Impact Area: Budget preparation process

Fiscal Impact: Undetermined

Analyst: Clements

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Chief of Research
(904) 630-1377

117 West Duval Street
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FAX (904) 630-3403

Bill Type and Number: Ordinance 2009-702

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: August 27, 2009

Type of Action: Authorization to execute letter of agreement

Bill Summary: The bill authorizes the execution of the annual letter of agreement among the City, Shands Jacksonville medical center, and the Florida Agency for Health Care Administration for payment of the City's indigent care contribution to Shands Jacksonville and for the use of those funds to leverage federal "disproportionate share" Medicaid funds to increase the amount of funding available for indigent care purposes.

Background Information: Shands Jacksonville and several of the other largest indigent care provider hospitals in the state participate in the "disproportionate share" program through which the hospitals turn their local indigent care funds over to the state to be used as matching funds to draw down enhanced Medicaid reimbursement for indigent care, thus substantially increasing the amount of care that can be provided as a result of the local appropriation.

Policy Impact Area: Indigent care funding

Fiscal Impact: The City's contribution to the disproportionate share fund is \$23,775,594. Due to the complicated formula used by the state and the earmarking of Medicaid funds for particular uses, it is reported to be difficult if not impossible to determine the exact dollar amount of additional funding the City's contribution leverages from Medicaid.

Analyst: Clements

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Chief of Research
(904) 630-1377



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Bill Type and Number: Ordinance 2009-703

Sponsor: Council President at the Request of the Sheriff

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: August 27, 2009

Type of Action: Agreement Approval

Bill Summary: This bill approves an agreement between the City, acting on behalf of the Jacksonville Sheriff's Office, and the Jacksonville Port Authority to provide overtime funding for police officers working security during military cargo deployments at the Blount Island terminal. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute said agreement.

Background Information: The term of the agreement is from June 1, 2009, through September 30, 2011. Information on file states that money has been appropriated in the fiscal year 2009 budget and the fiscal year 2010 proposed budget. The hourly rates for police services, including a \$2 per hour vehicle cost, are to be as follows: in the 2009 fiscal year, \$60.15 per hour for sergeants and \$52.24 per hour for police officers; and, in the 2010 fiscal year, \$61.31 per hour for sergeants and \$53.25 per hour for police officers.

Policy Impact Area: Office of the Sheriff; Jacksonville Port Authority; Military Affairs

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-704

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 28, 2009

Type of Action: Easement Authorization

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute a Rail Crossing Easement granting Georgia Southern and Florida Railway Company, at no cost, an easement across Chaffee Road North of its intersection with Pritchard Road, near President's Court, in Council Districts 8 and 11, for the construction of a rail crossing.

Background: The Georgia Southern and Florida Railway Company is a component of Norfolk & Southern Railroad. Railway crossings are constructed in areas like the aforesaid to provide automotive traffic with a right-of-way over the rail line.

Policy Impact: Public Works/Real Estate/Railway Crossings

Fiscal Impact: None

Analyst: Jackson

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Chief of Research
(904) 630-1377



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Bill Type and Number: Ordinance 2009-705

Sponsor: Council President at the request of the Mayor:

Date of Introduction: August 25, 2009

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

Date of Analysis: August 28, 2009

Type of Action: Lease Renewal Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute a Sovereignty Submerged Lands Fee Waived Lease Renewal (BOT. No. 160032632) between the City of Jacksonville and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for operation of an existing 12 slip docking facility on the Trout River for the mooring of fire and rescue marine fireboats and other City watercraft in conjunction with an upland City Fire and Rescue Department building, such renewal extending the term of the Lease through June 11, 2012.

Background: This legislation authorizes the renewal of an existing lease. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida is comprised of the Florida Cabinet (Governor, Lieutenant Governor, Attorney General and Chief Financial Officer).

Policy Impact: Fire & Rescue Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Chief of Research
(904) 630-1377



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Bill Type and Number: Ordinance 2009-706

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 27, 2009

Type of Action: Ordinance Repeal/Approval of Memorandum of Agreement

Bill Summary: This bill adopts findings of fact and repeals Ordinance 2008-943-E which authorized execution of a Memorandum of Agreement with the Florida Dept. of Transportation (FDOT) relative to Clark Road access improvements. A new Memorandum of Agreement allowing FDOT to undertake the Clark Road Access Improvement Project is approved, and authorization is given for the Mayor, or designee, and Corporation Secretary to execute said memorandum.

Background Information: After execution of the original memorandum by the City, FDOT revised the contract language and requested that a new Memorandum of Agreement be signed in its place.

Policy Impact Area: Streets and Highways

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-707

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 27, 2009

Type of Action: Ordinance Repeal/Approval of Memorandum of Agreement

Bill Summary: This bill adopts findings of fact and repeals Ordinance 2008-944-E which authorized execution of a Memorandum of Agreement with the Florida Dept. of Transportation (FDOT) relative to the 44th Street Extension from Norwood Avenue to Golfair Boulevard. A new Memorandum of Agreement allowing FDOT to undertake the project of extending 44th Street from Norwood Avenue to Golfair Boulevard is approved, and authorization is given for the Mayor, or designee, and Corporation Secretary to execute said memorandum.

Background Information: After execution of the original memorandum by the City, FDOT revised the contract language and requested that a new Memorandum of Agreement be signed in its place.

Policy Impact Area: Streets and Highways

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-708

Sponsor: Council President at the Request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: August 27, 2009

Type of Action: Easement Authorization

Bill Summary: This bill approves a Perpetual Easement whereby the Florida Dept. of Transportation grants to the City a perpetual easement in, over, under, upon, and through the overpass at Kernan Road and Beach Boulevard. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute said Perpetual Easement.

Background Information: Said easement contains approximately 1.742 acres, and it is granted to allow the City to construct and maintain transportation facilities in, over, under, upon, and through the overpass. Pursuant to the provisions of the Perpetual Easement, FDOT grants this easement in consideration of the sum of \$1 and other valuable considerations paid.

Policy Impact Area: Real Estate-Easements; Streets and Highways

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-709

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: August 27, 2009

Type of Action: Approval of Fire and Rescue Department administrative policy

Bill Summary: The bill approves the Fire and Rescue Department's "Identity Theft Prevention Program" as required by the federal Fair and Accurate Credit Transactions (FACT) Act of 2003 and Federal Trade Commission "red flag rules" requirements.

Background Information: The Fire and Rescue Department is subject to the FACT Act and the FTC identity theft program requirements because it is a creditor which bills and receives payments from customers for services provided (primarily EMS response) and thereby has access to and maintains files of personal identity and financial information that may be subject to theft or other unauthorized use. The identity theft program states that the department will annually determine if it has accounts that are covered under the federal law and regulations; that it will conduct an annual risk assessment to determine if any covered accounts carry a reasonable risk of being subject to identity theft; will monitor the safety of accounts and be on guard against attempts at unauthorized use or breaches of security; will secure data; will train employees on appropriate procedures and safeguards; and will investigate and respond appropriately whenever suspicious activity or complaints of identity theft occur. The City contracts with a third party billing company to handle EMS billings, so that company possesses the private identity data and will be responsible for its security

Policy Impact Area: Federal law compliance

Fiscal Impact: None – regulations are already in place in the Fire and Rescue Department and the third party billing company; this bill merely certifies their existence.

Analyst: Clements

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Chief of Research
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Bill Type and Number: Ordinance 2009-710

Sponsor: TEU Committee

Date of Introduction: August 25, 2009

Committee(s) of Reference: TEU

Date of Analysis: August 27, 2009

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and TRC Soutel, LLC for a retail project known as TRC New Kings Retail Development. The fair share assessment is \$164,372 with a 2-year term and a variable inflation rate declining from 5% in year one to 3.3% per year in years six and beyond. Concurrency Review estimated a total of 33 p.m. peak hour trips being generated on links in fair share fund sector 5.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
New Kings Road – I-295 to Soutel Drive	25
Soutel Drive – Old Kings Road to New Kings Road	8

Background Information: The project consists of 9,180 square feet of retail space on 1.53 acres at 7310 New Kings Road in Council District 10.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$164,372 to the Sector 5.2 account.

Analyst: Clements

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2009-711

Sponsor: Council President at the request of the JEDC

Date of Introduction: August 25, 2009

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

Date of Analysis: August 27, 2009

Type of Action: Designation of federal "recovery zone"

Bill Summary: The bill designates the City's empowerment zone, enterprise zones, community redevelopment areas, and Cecil Field as "recovery zones" as provided under the federal American Recovery and Reinvestment Act (ARRA) of 2009 for the purposes of qualifying the City to issue tax-advantaged Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds to finance economic development projects in those areas. The bill provides that the JEDC will act as issuer for recovery zone bonds to the extent that it is already authorized to issue industrial development revenue bonds (IRBs), and the City will act as issuer of the bonds in areas where the JEDC is not already authorized. The bill also provides that if any of the existing zones or CRAs are expanded, then the recovery zone designation is automatically expanded to include the additional areas.

Background Information: ARRA provides for reduced borrowing costs for local governments in order to stimulate the economy and in particular to spur revitalization of areas with significant levels of poverty, unemployment, home foreclosure, or general economic distress. Areas already designated as enterprise or empowerment zones or community redevelopment areas, or military bases closed through the BRAC process, are eligible for recovery zone designation. Recover zone bonds must be issued before January 1, 2011. Jacksonville's recovery zone designation includes the City's enterprise zone, empowerment zone, the Jacksonville International Airport CRA, the Southbank CRA, the Northbank Downtown CRA, the Soutel/Moncrief Retail Redevelopment Area, and Cecil Commerce Center.

Policy Impact Area: Economic redevelopment; low-interest redevelopment bond issuance authorization

Fiscal Impact: Undetermined

Analyst: Clements

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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
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Jacksonville, FL 32202
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Bill Type and Number: Ordinance 2009-712

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: R

Date of Analysis: August 24, 2009

Type of Action: Resolution Amendment

Bill Summary: This bill amends resolution 2008-729-A, regarding the appointment of Bursey J. Armstrong to the Jacksonville Housing and Community Development Commission, changing Mr. Bursey's membership category to "Banking or Mortgage Banking Industry".

Background Information: Section 55.203, *Ordinance Code*, provides that the six of the members of the Jacksonville Housing and Community Development Commission shall be appointed by the Mayor and confirmed by Council, in various categories, including "Banking or mortgage banking industry in connection with affordable housing". The resignation of the A.D. Roberts from the board created a vacancy in the "Banking or Mortgage Banking Industry" category. Since current board member Bursey Armstrong is eligible to fill that category, the Mayor's Office has requested that his appointment be amended to include the "Banking Industry" membership category. His term expiration is changed from November 30, 2010 to November 30, 2012 so as to match the term held by former member, A.D. Roberts.

Mr. Armstrong received a bachelor's degree in electronic engineering and mathematics from Alameda University. He was initially appointed to the former *Housing Commission* in December 2006 and has served continuously since then. Mr. Bursey resides in the Harborview area within Council District #10.

Policy Impact Area: Jacksonville Housing and Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
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Bill Type and Number: Ordinance 2009-713

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: R

Date of Analysis: August 24, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Charles F. Spencer as a member of the Jacksonville Housing and Community Development Commission for a partial term ending November 30, 2010.

Background Information: Section 55.203, *Ordinance Code*, provides that the six of the members of the Jacksonville Housing and Community Development Commission shall be appointed by the Mayor and confirmed by Council, in various categories, including "Duval County Resident". Mr. Spencer is International President and Executive Vice President At-Large of the South Atlantic and Gulf Coast District of the *International Longshoremen's Association*. He has previously served on the Equal Business Opportunity Advisory Committee, Jacksonville Sports Development Authority, Sports and Entertainment Board, Better Jacksonville Plan Project Administration Committee, and the Jacksonville Aviation Authority. Mr. Spencer resides in the Girvin area within Council District #3.

Policy Impact Area: Jacksonville Housing and Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Ordinance 2009-714

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: R

Date of Analysis: August 25, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Erma L. Cole as a member of the Jacksonville-Duval County Council on Elder Affairs, replacing Joan Davenport, for a term ending June 30, 2010.

Background Information: Section 82.101, *Ordinance Code*, provides that five of the members of the Council on Elder Affairs shall be at large members appointed by the Mayor and confirmed by Council. Ms. Cole is a lifelong resident of Jacksonville and longtime community volunteer. She previously served on the Council on Elder Affairs from 2002 to 2005 and currently serves on the Northwest CPAC. Ms. Cole resides in the Robinsons Addition area within Council District #9.

Policy Impact Area: Jacksonville Housing and Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2009-715

Sponsor: Council President at the request of the Mayor

Date of Introduction: August 25, 2009

Committee(s) of Reference: R

Date of Analysis: August 25, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Daniel W. O'Connor as a member of the Jacksonville Human Rights Commission, filling the slot formerly held by Francine Parfitt, for a partial term ending December 31, 2010, followed by a first full three-year term ending December 31, 2013.

Background Information: Section 60.101, *Ordinance Code*, provides that the 20 members of the Jacksonville Human Rights Commission shall be appointed by the Mayor subject to confirmation by the Council and shall reside or be employed in the City for their entire term. Mr. O'Connor received a master's degree in mental health counseling from the University of North Florida and is a Senior Rehabilitation Specialist with the *Division of Blind Services*. He currently serves on the Duval County Election Advisory Panel. Mr. O'Connor resides in the Alderman Park area within Council District #1.

NOTE: This bill may need to be amended to correct the spelling of the appointee's last name to **O'Connor**.

Policy Impact Area: Jacksonville Human Rights Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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JEFFREY R. CLEMENTS
Chief of Research
(904) 630-1377



117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 630-3403

Bill Type and Number: Resolution 2009-716

Sponsor: Council Member Webb

Date of Introduction: August 25, 2009

Committee(s) of Reference: R

Date of Analysis: August 27, 2009

Type of Action: Support for legislative J-bill

Bill Summary: The bill expresses the Council's support for 2010 legislative bill J-2 which would amend the City Charter to move the election of the Mayor, City Council and Constitutional officers (excluding the Clerk of the Courts) to the fall of odd-numbered years, beginning in 2011. The officers elected in November 2011 would take office January 1, 2012 and serve through December 31, 2015. The bill provides that incumbents already holding any of the covered offices at the time of the bill's passage will serve their current terms through December 31, 2011, which would extend the terms of those officers for an additional 6 months beyond their current expiration date of June 30, 2011.

Background Information: The bill would move the date of election for local officials from the spring to the fall, but would not have the elections coincide with the gubernatorial election as proposed in legislative bill J-1 (see pending Ordinance 2009-622).

Policy Impact Area: City elections

Fiscal Impact: None; there would be no savings over the current election system because the date selected does not coincide with another county-wide election and would therefore require a local stand-alone election at a cost of approximately \$3 million.

Analyst: Clements