

**CITY COUNCIL RESEARCH DIVISION**  
**LEGISLATIVE SUMMARY**



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**Bill Type and Number:** Resolution 2009-96

**Sponsor:** Council Member Bishop at the request of the Waterways Commission:

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 13, 2009

**Type of Action:** Manatee plan approval

**Bill Summary:** This resolution approves the Duval County Manatee Protection Plan (2007-2008).

**Background:** The State of Florida mandates that counties draw up and adopt a plan for the protection of manatees in the state's waterways. Manatees are a threatened species, often at risk in the midst of watercraft such as motorboats and large vessels. In the past year, the number of manatee deaths was deemed unacceptable by the State and the County was required to report on efforts and remedy that concern. The only difference between this year's plan and last year's is a reduction in the City's budget by one-third of the funding in the contract with Jacksonville University. JU is the City's consultant on issues and research pertaining to manatees.

**Policy Impact:** Waterways

**Fiscal Impact:** None

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2009-97

**Sponsor:** Council President Fussell

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Brian J. Register to the Building Codes Adjustment Board (BCAB), replacing Lee Alford, for a first three-year term ending September 30, 2011.

**Background Information:** Section 56.101, *Ordinance Code*, provides that the nine members of BCAB are appointed by the Council. Mr. Register received a bachelor's degree from Auburn University and is an Agent with *Insuramerica of Florida, Inc.* He resides in Council District #6.

**Policy Impact Area:** Building Codes Adjustment Board operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-98

**Sponsor:** Council President Fussell at the request of the Cultural Council of Greater Jacksonville

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Brandon N. Choy to the Cultural Service Grant Committee, replacing Marsha Oliver as a community representative, for a first three-year term ending December 31, 2011.

**Background Information:** Section 118.605, *Ordinance Code*, provides that the composition of the Cultural Service Grant Committee shall include five members of the community confirmed by the City Council. Mr. Choy received a bachelor's degree in political science/economics from Washington University and is a Director-National Project Management with *ADT Security Services, Inc.* He resides in Jacksonville Beach within Council District #13.

**Policy Impact Area:** Cultural Service Grant Committee operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-99

**Sponsor:** Council President Fussell

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the appointment of Jason M. Fischer to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing John Jolly for an unexpired term ending June 30, 2010.

**Background Information:** Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Council President and confirmed by the City Council. Mr. Fischer received a bachelor's degree in electrical engineering from the University of North Florida and is an Engineer with the *Department of the Navy/NAVFAC*. He resides in Council District #6.

**Policy Impact Area:** TRUE Commission operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-100

**Sponsor:** Council President Fussell

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the reappointment of John L. Marshall, III to the Duval County Job Opportunity Board, for a second three-year term ending December 31, 2011.

**Background Information:** Section 180.104, *Ordinance Code*, provides that three of the members of the Duval County Job Opportunity Board are appointed by the President of the City Council, subject to approval by resolution of the City Council. Mr. Marshall received a law degree from the University of Florida and is President of *Special Counsel, Inc.* He resides in the Empire Point area within Council District #2.

**Policy Impact Area:** Duval County Job Opportunity Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2009-165

**Sponsor:** Council President at the Request of the Sheriff

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Ordinance Code Amendment

**Bill Summary:** This bill creates a new Section 111.365, Ordinance Code, to establish a Teen Driver Trust Fund into which donations and contributions of money received by the Sheriff's Office, or by the City on behalf of the Sheriff's Office, will be deposited for use in providing instructor compensation and instructional materials for the Teen Driver Challenge Program.

**Background Information:** The Teen Driver Challenge Program is a 12-hour driving class offered by the Sheriff's Office for young drivers 16 to 19 years of age. The program includes 4 hours of classroom instruction and 8 hours of practical driving on the Police Academy track. A \$50 deposit is required for the student to reserve a place in the class, but this is returned if the student attends the class or is prevented from attending due to unavoidable circumstances.

**Policy Impact Area:** Trust Funds; Office of the Sheriff; Public Safety

**Fiscal Impact:** Undetermined; information from the Office of the Sheriff states that the fiscal year 2008-2009 annual budget includes \$3,842,778 in anticipated revenue

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2009-166

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$212,320 from the United States Dept. of Homeland Security to sustain the Urban Search and Rescue Team of the Jacksonville Fire and Rescue Dept. Authorization is given for the Mayor to execute the grant and related documents. Provision is made for the carryover of appropriated funds into the 2009-2010 fiscal year.

**Background Information:** Funds will be used for the purchase of new specialized equipment; repairs, replacement, and maintenance of current equipment; and training.

**Policy Impact Area:** Fire and Rescue-Urban Search and Rescue

**Fiscal Impact:** Undetermined; \$212,320 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2009-167

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$7,500 in private funds donated by Fireman's Fund Insurance Company to the Jacksonville Fire and Rescue Dept. Authorization is given for the Mayor to accept the grant. A Grant Compliance Agreement is approved, and the Mayor and Corporation Secretary are authorized to execute said agreement and other necessary documents.

**Background Information:** The grant was awarded for the purchase emergency Self-contained Breathing Apparatus Rapid Intervention Team packs.

**Policy Impact Area:** Fire and Rescue

**Fiscal Impact:** Undetermined; \$7,500 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2009-168

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Appropriation

**Bill Summary:** This bill appropriates \$905,500 (\$814,950 from the Federal Emergency Management Agency and \$90,550 from property owners) to provide for the acquisition and demolition of properties at 6804 Bakersfield Drive and 7080 Delaware Court as part of the Severe Repetitive Loss Mitigation Grant Program. Provision is made for the carryover of appropriated funds into the 2009-2010 fiscal year.

**Background Information:** The legislation states that these properties have been repeatedly damaged by flooding. The City will acquire the properties, demolish the structures on the properties, remove the debris, and convert the properties to open space.

**Policy Impact Area:** Emergency Management

**Fiscal Impact:** Undetermined; \$905,500 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2009-169

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 13, 2009

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$4,000 allocated by the United States Secret Service to the Economic Crime Unit of the Jacksonville Sheriff's Office (JSO) for Fiscal Year 2009 to reimburse the costs of JSO's participation in economic crimes training with the Northeast Florida High Crimes Task Force, as initiated by B.T. 09-066; provision is made to carryover the funds to Fiscal Year 2009-2010.

**Background:** The United States Secret Service (a component of the U.S. Department of Homeland Security) requested JSO to provide \$4,000 in funding to allow JSO detectives to attend Economic Crimes Training. The Secret Service committed to reimburse the City for the cost of the training. This is not a grant.

**Policy Impact:** Jacksonville Sheriff's Office

**Fiscal Impact:** This bill appropriates \$4,000

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2009-170

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Appropriation

**Bill Summary:** This transfers and realigns a previously appropriated private grant in the amount of \$75,000. Provision is made for the carryover of appropriated funds into the 2009-2010 fiscal year.

**Background Information:** This private source grant was awarded by the United Against Illegal Guns Support Fund. The funds are being transferred from the Office of the Director of the Recreation and Community Services Dept. to the Office of the Director of Central Operations. These revenues, which are to be maintained and controlled by the Office of the Director of Central Operations, were erroneously charged to the Recreation and Community Services Dept. budget.

**Policy Impact Area:** Central Operations; Grants; Firearms

**Fiscal Impact:** Undetermined; \$75,000 is appropriated by this ordinance

**Analyst:** Campbell

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**Bill Type and Number:** Ordinance 2009-171

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 13, 2009

**Type of Action:** Appropriation

**Bill Summary:** This ordinance appropriates \$214,096 from the Jacksonville Children's Commission (JCC) Special Revenue Grant Fund – Summer Food Program and current year funds allocated for subsidies and contributions to the JCC after-school food program to provide funds to cover additional costs associated with the addition of 15 new sites as a result of the opening of Team Up programs as part of the Jacksonville Journey, and an increase in the cost rate charged by the vendor for existing sites, as initiated by B. T. 09-070; provision is made to carryover funds into Fiscal Year 2009-2010.

**Background:** With the addition of 15 new sites as a result of the opening of Team Up programs, additional funding is needed for the after school programs that are designed to provide positive outlets for young people in the community. The Team-Up program is tied in with the School Board. Most of the sites (except two) are in public schools. The young people are provided tutoring, help with FCAT scores, homework and other curricular activities. The funding appropriated is allocated for both food costs for the after-school programs and to accommodate an increase in the cost rate charged by the vendor.

**Policy Impact:** Jacksonville Children's Commission/The Jacksonville Journey

**Fiscal Impact:** This bill appropriates \$214,096

**Analyst:** Jackson

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**Bill Type and Number:** Resolution 2009-172

**Sponsor:** Council President Fussell

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Riyan K. Jackson to the Enterprise Zone Development Agency Board, replacing Amy Whitaker as a representative of a local financial or insurance entity, for a first four-year term ending December 31, 2012.

**Background Information:** Section 501.103, *Ordinance Code*, provides that one of the members of the Enterprise Zone Development Agency Board shall be a representative of local financial or insurance entities. Mr. Jackson received a master's degree in business administration/marketing from the University of Phoenix. He is a Project Manager with *Renaissance Design Build Group of Jacksonville, Inc.* and a Financial Education Facilitator with *War on Poverty Florida, Inc.* Mr. Jackson resides in the Garden City area within Council District #11.

**Policy Impact Area:** Enterprise Zone Development Agency Board operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-173

**Sponsor:** Council President Fussell

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Broderick L. Green to the Enterprise Zone Development Agency Board, replacing Robert Baldwin as a representative of the local Chamber of Commerce, for a first four-year term ending December 31, 2012.

**Background Information:** Section 501.103, *Ordinance Code*, provides that one of the members of the Enterprise Zone Development Agency Board shall be a representative of the local Chamber of Commerce. Mr. Green received a bachelor's degree in sociology from the University of New Orleans and is a Manager for Business Recruitment with the *Jacksonville Regional Chamber of Commerce*. He resides in the Secret Cove area within Council District #4.

**Policy Impact Area:** Enterprise Zone Development Agency Board operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-174

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Robert F. Baldwin as a member of the Duval County Job Opportunity Board, replacing Candace Moody for a first three-year term ending December 31, 2011.

**Background Information:** Section 180.104, *Ordinance Code*, provides that four of the members of the Duval County Job Opportunity Board are appointed by the Mayor subject to approval by resolution of the City Council. Mr. Baldwin is the Senior Vice President of Community Development with the *Jacksonville Regional Chamber of Commerce* and currently serves on the Enterprise Zone Development Agency Board. He resides in the Secret Cove area within Council District #4.

**Policy Impact Area:** Duval County Job Opportunity Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-175

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Cherron C. Newby as a member of the Duval County Job Opportunity Board, replacing Antwoine Edwards for a first three-year term ending December 31, 2011.

**Background Information:** Section 180.104, *Ordinance Code*, provides that four of the members of the Duval County Job Opportunity Board are appointed by the Mayor subject to approval by resolution of the City Council. Ms. Newby is a Janitorial Instructor with the *Clara White Mission*. She resides in the Magnolia Gardens area within Council District #10.

**Policy Impact Area:** Duval County Job Opportunity Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-176

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Mayor's appointment of Stephen D. Busey as a member of the Jacksonville Port Authority, replacing Andrew Fogarty, for an unexpired term ending September 30, 2011.

**Background Information:** §5.01(2), *Jacksonville Charter, Part B*, provides that four of the members of the Jacksonville Port Authority shall be appointed by the Mayor with the confirmation of the Council. Mr. Busey received a law degree from Stetson University and is Chairman of *Smith Hulseay & Busey*. He currently serves on the Jacksonville Waterways Commission. Mr. Busey resides in the Ortega area within Council District #14.

**Policy Impact Area:** Jacksonville Port Authority Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-177

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Reappointment Confirmation

**Bill Summary:** This bill confirms the Mayor's reappointment of M. Ashton Hudson as a member of the JEA Board, for a first full four-year ending February 28, 2013.

**Background Information:** §21.03(a), *Jacksonville Charter, Part A*, provides that the seven members of the JEA Board are to be city residents appointed by the Mayor, subject to confirmation by the Council. Mr. Hudson received a law degree from Wake Forest School of Law and is President and General Counsel of *Rock Creek Capital*.

**Policy Impact Area:** JEA Board operations

**Fiscal Impact:** Anticipated to be minimal

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-178

**Sponsor:** Council Member Lee

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment

**Bill Summary:** This bill appoints Doretha L. Tompkins to the Jacksonville-Duval County Council on Elder Affairs, as the representative for Council District 8, filling the slot formerly held by Marion McLean, for a partial term ending June 30, 2009, followed by a first full two-year term ending June 30, 2011.

**Background Information:** Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members. Ms. Tompkins was employed as Clerical Support Aide at the City of Jacksonville Emmett Reed Center from 1999 to 2007 and is a Seasonal Elections Worker. She is a member of the Northwest Citizens Planning Advisory Committee (CPAC). Ms. Tompkins resides in the Riverview area within Council District #8.

**Policy Impact Area:** Jacksonville-Duval County Council on Elder Affairs operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Resolution 2009-179

**Sponsor:** Council President Fussell at the request of the Northwest District CPAC

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 5, 2009

**Type of Action:** Appointment Confirmation

**Bill Summary:** This bill confirms the Northwest District Citizen's Planning Advisory Committee's (CPAC) appointment of Ruth E. Arnold to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, replacing Elaine Burnett, for a first term ending June 30, 2011.

**Background Information:** Section 57.102, *Ordinance Code*, provides that six of the members of the TRUE commission shall be selected, one each by the Citizen's Planning Advisory Committees (CPAC) in the six Planning Districts, and shall be confirmed by the Council. Ms. Arnold received a degree in biblical studies from New Tribes Bible Institute and is an Associate Director with *2<sup>nd</sup> Mile Ministries*. She resides in the Brentwood area within Council District #7.

**Policy Impact Area:** TRUE Commission operations

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

**Analyst:** Welsh

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**Bill Type and Number:** Ordinance 2009-180

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Approval of legal settlement

**Bill Summary:** The bill approves a legal settlement with Mike Yarborough in the amount of \$56,000 (inclusive of all damages, attorney fees and costs) to settle a claim against the City for wrongful demolition of a house located at 1969 West 4<sup>th</sup> Street.

**Background Information:** The Ordinance Code requires the City Council to approve any legal settlement in excess of \$50,000. Mr. Yarborough sued the City for wrongful demolition of the structure claiming insufficient notice, and originally won a judgment against the City in the amount of \$82,000 plus attorney fees and costs of \$16,000. The City appealed the ruling, entered into negotiations with Mr. Yarborough, and settled on the amount of \$56,000 as full compensation in return for the City dropping the appeal.

**Policy Impact Area:** Legal settlement

**Fiscal Impact:** The settlement amount is \$56,000 to Mr. Yarborough

**Analyst:** Clements

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**Bill Type and Number:** Ordinance 2009-181

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 13, 2009

**Type of Action:** Contract Authorization

**Bill Summary:** This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a contract with the State of Florida Department of Management Services Office of Supplier Diversity for minority business enterprise certification; provision is made to designate City oversight by the Office of the Mayor. The contract is entitled "Florida Minority Business Enterprise Agreement."

**Background:** The City's Equal Business Opportunity Division will enter into an Agreement with the State of Florida Department of Management Services' Office of Supplier Diversity to offer certification in the North Florida area. In addition to certification, the division will also provide technical assistance and create an awareness of upcoming projects from the State of Florida.

**Policy Impact:** Central Operations/EBO Contract Compliance/Minority Business Opportunities

**Fiscal Impact:** Undetermined

**Analyst:** Jackson

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**Bill Type and Number:** Ordinance 2009-182

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

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Ordinance Code amendment; request for emergency approval

**Bill Summary:** The bill amends Ordinance Code Chapter 111 – Public Safety and Courts – to reestablish the Motor Vehicle Safety Program that was deleted during a 2006 clean-up of trust and special purpose revenue funds in the Ordinance Code. The program would be authorized to accept donations and gifts for the purpose of promoting driver education and motor vehicle safety programs. The bill requests emergency approval of the bill on second reading in order to have the program re-established in order to accept private donations in the next several weeks to allow the Sheriff’s Office to transport and show the department’s race car at the Gatornationals drag races in Gainesville in mid-March.

**Background Information:** The Sheriff’s Office owns a race car that was used for driver education purposes some years ago, particularly as a means of attracting the attention of young male drivers who might then be receptive to a safe driving message delivered by the JSO officer accompanying the car. The JSO is planning on reviving the program and using private donated funds to show the car at the Gatornationals in Gainesville (which draws large number of Jacksonville racing fans) in March before putting the car back to use in Jacksonville.

**Policy Impact Area:** Re-establishment of previously eliminated special revenue fund.

**Fiscal Impact:** Undetermined – the fund would accept private donations

**Analyst:** Clements

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FAX (904) 630-3403

**Bill Type and Number:** Ordinance 2009-183

**Sponsor:** Council Member Hyde

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Approval of Human Resources Division and Procurement Division rules; Ordinance Code amendment

**Bill Summary:** The bill approves rules developed by the city's Human Resources Division and Procurement Division relating to the hiring of ex-offenders by the City and by its private contractors pursuant to the mandate of Ordinance 2008-911-E. The bill also amends Ordinance Code Chapter 126 – Procurement Code – by changing the reporting requirement for private contractors on their consideration and hiring of ex-offenders from a monthly basis to reports that shall accompany their periodic submissions for payment.

**Background Information:** Ordinance 2008-911-E committed the City to full and fair consideration of hiring of ex-offenders who are otherwise qualified for the jobs for which they are applying as one part of a larger effort to combat crime and the conditions that lead to criminal behavior as outlined in the Jacksonville Journey program. Lack of job opportunities for ex offenders was consistently identified as an obstacle to their re-integration into society and their ability to earn an honest living.

The City's new hiring policy will remove questions about prior legal convictions from the job application form and will reserve investigation of prior criminal record until a candidate has been selected for a job offer. The policy defines "evidence of acceptable rehabilitation" as successful participation in a recognized rehabilitation program of at least 4 to 6 weeks with follow-up case management. The new private contractor policy will require contractors awarded contracts worth \$200,000 or more to submit to the City a Form 4A outlining the company's efforts to recruit, screen and hire ex-offenders.

**Policy Impact Area:** Hiring policy

**Fiscal Impact:** Undetermined

**Analyst:** Clements

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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117 West Duval Street  
City Hall, Suite 425  
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**Bill Type and Number:** Ordinance 2009-184

**Sponsor:** TEU Committee

**Date of Introduction:** February 10, 2009

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

**Date of Analysis:** February 12, 2009

**Type of Action:** Approval of fair share agreement

**Bill Summary:** The bill approves a fair share agreement between the City and Kimco Avenues Walk, LLC for a commercial project known as Avenues Walk II. The fair share assessment is \$2,005,758 with a 10-year term and a variable inflation rate that declines from 5% in year one to 3.3% in year 6 and beyond. Kimco will have the option to pay the fair share assessment in cash or to be credited for the construction of specific roadway improvements on Greenland Road and Philips Highway as outlined in the agreement. Concurrency Review estimated a total of 1,289 p.m. peak hour trips being generated on links in fair share fund sector 3.1 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Philips Highway – Southside Boulevard to Baymeadows Road	262
Southside Boulevard – Philips Highway to I-95	68
Southside Boulevard – I-95 to Baymeadows Road	55
I-95 – I-295 to Baymeadows Road	128
I-295 – I-95 to San Jose Boulevard	124
Hood Road – Old St. Augustine Road to Coastal Lane	26
Greenland Road – Old St. Augustine Road to Coastal Lane	22
Shad Road – Hood Road to Philips Highway	44
Philips Highway – Greenladn road to Southside Boulevard	274
Hood Road South – Losco Road to Hood Road/Shad Road	12
Greenland Road – Coastal Lane to Philips Highway	27
State Road 9A – Baymeadows Road to Philips Highway	56
State Road 9A/I-295 – Philips Highway to I-95	131
Philips Highway – Old St. Augustine Road to Greenland Road	60

**Background Information:** The project consists of up to 199,000 square feet of shopping center space on 130.46 acres in the northeast quadrant of the intersection of I-95 and State Road 9A in Council District 5. In lieu of a cash payment into the sector fund, Kimco may receive alternative credit for widening Greenland Road to a 3/5 lane urban section from Coastal Lane to Philips Highway and for providing the right-of-way to widen and reconstruct Philips Highway from State Road 9A to Sunbeam Road.

**Policy Impact Area:** Economic development; concurrency management

**Fiscal Impact:** The fair share assessment is \$2,005,758 to the Sector 3.1 account.

**Analyst:** Clements

**CITY COUNCIL RESEARCH DIVISION**  
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**Bill Type and Number:** Ordinance 2009-185

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

**Date of Introduction:** February 10, 2009

**Committee(s) of Reference:** R; F; RCD

**Date of Analysis:** February 13, 2009

**Type of Action:** Appropriation; Ordinance Waiver

**Bill Summary:** This ordinance appropriates \$200,000 (a loan in the amount of \$125,000 and a grant in the amount of \$75,000) from the Northwest Jacksonville Economic Development Fund to Cedar Grove Corporation, a Florida for profit corporation, to fund the development of expanded truck washing facilities (by renovations and new construction to the facilities located at 3317 North Edgewood Avenue), in the Fund area, as initiated by B.T. 09-067. Provision is made to carryover the funds into Fiscal Year 2009-2010. The ordinance authorizes and approves the Redevelopment Agreement by and among the City of Jacksonville and the company (and "technical amendments"); the ordinance waives a Northwest Jacksonville Economic Development Fund project evaluation criteria, approved and adopted by Ordinance 2007-281-E, so as to allow the City to make a loan in a third lien position.

**Background:** Cedar Grove Corporation is a Jacksonville-based company that proposes to expand its existing commercial vehicle cleaning business by investing approximately \$1.2 million to construct a commercial truck wash facility that would create 18 new full time jobs. A majority of these jobs will be available for felon re-entry (as a key component of the Jacksonville Journey effort). The corporation was founded in 1985. The project includes the commitment of \$275,124 in owner's equity, or 21.7%. The Northwest Jacksonville Economic Development Fund (\$200,000) constitutes 16% of the project cost. The primary lender, Regions Bank, holds two mortgages totaling approximately \$796,000.. DeWayne and Linda Elmore will provide a personal guaranty as further security for the loan. The project site is located in Council District 10.

**Policy Impact:** Economic Development/Northwest Jacksonville Economic Development Fund

**Fiscal Impact:** The ordinance appropriates \$200,000

**Analyst:** Jackson