

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



JEFFREY R. CLEMENTS
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Bill Type and Number: Ordinance 2009-52

Sponsor: Council President at the request of the Sheriff

Date of Introduction: January 27, 2009

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

Date of Analysis: January 29, 2009

Type of Action: Appropriation; increase in employee cap

Bill Summary: The bill appropriates \$79,244 in funding from the JEA to the Sheriff's operating budget to fund the addition of 1 new police detective who will be assigned to the JEA to coordinate all law enforcement activities relating to the protection of JEA's employees, assets, facilities and infrastructure. The bill also increases the employee cap in the Sheriff's Office by 1 to accommodate the hiring of the new detective.

Background Information: The JEA and Sheriff have entered into a Memorandum of Agreement under which the JEA will fund the hiring of a JSO detective who will be assigned to and located at the JEA headquarters to work with JEA's head of security on activities to protect the employees and assets of the JEA. The JEA agrees to provide office space with a computer, telephone and usual office supplies for the new detective and for up to 2 additional detectives assigned to the JSO's Interagency Special Investigations unit. The JSO will provide the detective with an unmarked, 4 wheel drive vehicle, for which all costs (fuel and maintenance) will be billed to the JEA. The detective will remain under the command and supervision of the JSO command structure at all times.

Policy Impact Area: Law enforcement

Fiscal Impact: The bill appropriates \$79,244 in JEA funding to the Sheriff's Office operating budget.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-53

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: January 30, 2009

Type of Action: Appropriation

Bill Summary: This ordinance reauthorizes a continuation grant. The bill reauthorizes and appropriates \$20,088.29 in interest earned in Fiscal Year 2007-2008 on an Emergency Medical Services (EMS) County Award to provide funding for enhancing and improving EMS services in Duval County through the purchase of blood pressure/pulse oximetry monitors, as initiated by B.T. 09-050.

Background: The grant agreement mandates that the City reauthorize and appropriate the interest earned on the EMS County Award to the next fiscal year to improve and enhance EMS services in the County.

Policy Impact: Jacksonville Fire & Rescue/EMS County Grant

Fiscal Impact: This ordinance appropriates \$20,088.29.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-54

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$1,761,461 from the Banking Fund Loan account to provide funds to replace the Fire and Rescue Department's Computer Aided Dispatch system and to upgrade the Sheriff's Office's Computer Aided Dispatch system.

Background Information: This will replace an aging 911 Computer Aided Dispatch system in Fire and Rescue, which is independent of the system used by the Sheriff's Office, and upgrade the system used by the Sheriff's Office to provide redundancy in the event of failure of one of the systems. Currently there is no direct interface between systems used by the 2 offices, nor is there physical redundancy.

Policy Impact Area: Computer Aided Dispatch; Fire and Rescue; Office of the Sheriff

Fiscal Impact: Undetermined; \$1,761,461 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-55

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$222,680.03 from HOME Program interest income to provide funding to Habitat for Humanity. Provision is made for the carryover of appropriated funds to the 2009-2010 fiscal year. Authorization is given for the Mayor, or designee, and Corporation Secretary to execute necessary documents and take further action to effectuate the purposes of this ordinance.

Background Information: Habitat for Humanity is a HOME Community Housing Development Organization.

Policy Impact Area: Affordable Housing

Fiscal Impact: Undetermined; \$222,680.03 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-56

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: January 30, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$1,250,000 in State Housing Initiative Partnership ("SHIP") recaptured grant funds to the Housing Partnership of Northeast Florida's 16th Annual Paint the Town event, an annual program which targets a low-income Jacksonville neighborhood for revitalization, as initiated by B.T. 09-055. Provision is made to carryover the funds to Fiscal Year 2009-2010 and authorizes the Mayor and Corporation Secretary to execute and deliver documents and take further action to implement the purpose of this ordinance.

Background: The 16th Annual Paint the Town event is scheduled for April 18th through April 25th, 2009. This year's project site is the East Jacksonville/Longbranch neighborhood in Council District 7. 25 homes will be rehabilitated. The boundaries of the project will be east of Haines St., west of Buckman St., north of 18th Street E and south of 30th Street E. SHIP funds are monies remanded to local communities from the State of Florida for affordable housing programs. The City Council is required by State Statutes to appropriate those state housing funds and to approve the DCHFA's budget for those funds. DCHFA, in turn, submits the budget and housing plans to the State's Housing Finance Corp and the Fla Department of Community Affairs.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division/SHIP Grant

Fiscal Impact: This bill appropriates \$1,250,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-57

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: The bill appropriates \$2,041,250 in ash site remediation funds from the Public Works Enterprise Fund to the General Fund Pollution Remediation account to shift the funding for the remediation to match the shift of the ash site cleanup liability into the General Fund.

Background Information: The \$2,041,250 being transferred represents funds borrowed from the City's banking fund to pay immediate ash site remediation costs. The ultimate source of funds to replenish the banking fund is not identified in the legislation.

Policy Impact Area: Ash site remediation funding

Fiscal Impact: The bill transfers \$2,041,250 from an Enterprise Fund account to a General Fund account to match the location of the liability being paid with those funds.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-58

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$75,628 from the Duval County Teen Court Program Trust Fund for the benefit of the program.

Background Information: Funds are to be used to lease a copier, purchase furniture for 10 new employees transferring from the State Attorney's Office to the Judicial Courts, accept additional clients in the Teen Court and Teen Court Truancy programs, and increase services for children and their families in said programs.

Policy Impact Area: Teen Court

Fiscal Impact: Undetermined; \$75,628 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-59

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$65,625 from the U. S. Dept. of Health and Human Services to provide child care services to refugee children and families in Duval County under the Refugee Child Care Program Grant. Provision is made for the carryover of appropriated funds into the 2009-2010 fiscal year.

Background Information: This additional funding is for the October 1, 2007, through September 30, 2009, grant period.

Policy Impact Area: Community Services; Jacksonville Children's Commission; Refugee Child Care

Fiscal Impact: Undetermined; \$65,625 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-60

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; LUZ

Date of Analysis: January 30, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates a \$200,000 grant received from the Florida Office of Tourism, Trade and Economic Development/Enterprise Florida, Inc. to provide funds for the purchase of development easements on properties within the Air Installation Compatible Use Zone (AICUZ) of Outlying Field (OLF) Whitehouse in an effort to limit encroachment issues around the airfield and minimize community concerns about aircraft noise, as initiated by B.T. 062. Provides a carryover of funds to Fiscal Year 2009-2010; authorizes the Mayor and Corporation Secretary to execute all necessary documentation to implement this legislation.

Background: The Legislature appropriates funds to help counties and local economic development councils make necessary infrastructure improvements needed to facilitate base reuse development. The funding facilitates purchasing properties from willing sellers who reside or have development potential in Accident Potential Zones and near noise contours to prevent future encroachment. The acquisition of property interests prevents encroachment on the training and operation of OLF Whitehouse (a site where aircraft carrier pilots train for carrier landings, particularly night landings). The encroachment can consist of new housing developments, political pressure due to noise complaints and issues of aircraft flying over homes, and light and frequency encroachment that interferes with night vision and airfield electronics. The potential for aircraft mishaps that could impact civilian community is minimized.

Policy Impact: Community Services Department/Military & Veterans Services Division

Fiscal Impact: This bill appropriates a state grant in the amount of \$200,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-61

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: January 30, 2009

Type of Action: Real Estate Purchase Approval

Bill Summary: This ordinance approves the purchase of parcel 103 from New Life Temple Church at Jacksonville, Inc. for \$386,595 for use as a retention pond site in connection with the Crystal Springs Road Phase II Project. The Mayor and Corporation Counsel are authorized to execute all closing documents and take necessary action to implement the purchase of this real property.

Background: The site of this parcel is on Ramona Boulevard in Council District 12. The purchase of this parcel will enable the City to construct a retention pond to accommodate storm water drainage for the Crystal Springs Road Phase II Project. The appraised value of the parcel is \$324,800. The first counter offer from the property owner's attorney was \$438,480. The agreed price was arrived at through negotiation; the agreement will avoid any expert witness fees or additional appraisal fees. The attorney has agreed to the statutory attorney fee for his compensation.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The bill appropriates \$386,595

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-62

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

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

Date of Analysis: January 30, 2009

Type of Action: Covenant Authorization

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute a Declaration of Restrictive Covenant between the City of Jacksonville and the Florida Department of Environmental Protection (FDEP) and any other documents necessary to effectuate the Restrictive Covenant allowing the City to satisfy the requirements for FDEP's issuance of a Site Rehabilitation Completion Order with Conditions for real property located at Lots 1 through 6, inclusive, Block 54, Harts map of Jacksonville of the former public records.

Background: Currently, there are contaminants on one of the blocks that constitute the site for the proposed new Duval County Courthouse. Elevated benzene and Total Petroleum Hydrocarbon concentrations are present on the property that has been cleared and slated for development. The City has been monitoring the contaminants. The concentration of contaminants is not high or bad enough to make it necessary to remove them; not low enough to abandon monitoring them. The City could either remove all of the contaminants and replace the surface with new materials (at a cost estimated at \$100,000) or, the City could satisfy FDEP's requirements for issuance of a Site Rehabilitation Completion Order by going forward and building the courthouse, thus capping the contaminants, and agreeing not to use any of the groundwater on the property, do any drilling for water or installing any wells on the property.

Policy Impact: Undetermined

Fiscal Impact: Public Works/Better Jacksonville Plan/FDEP

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-63

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

Date of Introduction: January 27, 2009

Committee(s) of Reference: F, RCD

Date of Analysis: January 29, 2009

Type of Action: Authorization of second amendment to economic redevelopment agreement

Bill Summary: The bill authorizes the execution of a second amendment to the redevelopment agreement between the City and Riverplace Development, LLC that provided City incentives for the construction of the San Marco Place condominium tower on the Southbank. The amendment would have the effect of allowing Riverplace Development an additional two years beyond the original deadline to sell the 12 remaining unsold units and would allow the developer to begin receiving its REV grant from the City, despite the remaining inventory, in annual installments based on the price of the units sold to date. The amount of the REV grant would be adjusted in future years to reflect the variation in the REV grant based on the sale price of the remaining units.

Background Information: In 2004 the City and Riverplace Development entered into an economic redevelopment agreement under which the developer would invest a minimum of \$48 million in the construction of 141 units of "market rate" condominiums, several penthouse units (not restricted as to price), and associated ground level retail space in return for a REV grant of up to \$3.6 million, the exact amount to be calculated on the basis of the per square foot sales price for the market rate units. "Market rate" was defined as all of the units selling for not more than an average of \$230 per square foot. The original agreement provided that payment of the REV grant would begin after the sale of all the market rate units. This amendment recognizes that the developer invested \$58 million in private capital, \$12 million more than the original requirement, but the current market conditions are making sales of the final 12 market rate units very difficult. The amendment would allow the developer 2 additional years to sell the units (through December 31, 2012), would allow the developer to begin receiving installments of a reduced REV grant based on the per square foot value of the units sold to date (\$233 p.s.f.), and would permit the remaining REV grant installments to be adjusted up or down depending on the final sales price of the remaining units.

Policy Impact Area: Economic redevelopment agreement amendment

Fiscal Impact: Undetermined - the bill will allow the beginning of the payment of the REV grant which has a maximum value of \$3.6 million, the final payout amount being determined in several years depending on the final average per square foot sales price of the 141 market rate units.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-64

Sponsor: Council President at the request of the Jacksonville Historic Preservation Commission

Date of Introduction: January 27, 2009

Committee(s) of Reference: LUZ

Date of Analysis: January 29, 2009

Type of Action: Designation of historic landmark

Bill Summary: The bill designates the Lake Shore Subdivision gates and surrounding pocket park located at Blanding Boulevard, Bayview Road and Appleton Street as a historic landmark and landmark site and directs the Zoning Administrator to enter the designation into the public record.

Background Information: The Lake Shore Subdivision gates and fountain/planter were constructed for the new subdivision in 1925 during the height of the Florida land boom in the Mediterranean style common for new developments of the time. The application states that the site meets 3 of the 7 possible criteria to qualify for designation: its value as a significant reminder of cultural, historical, architectural, or archeological heritage of the City, state or nation; it has distinguishing characteristics of an architectural style valuable for a study of a period, method of construction or use of indigenous materials; and its suitability for preservation.

Policy Impact Area: Historic landmark designation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2009-65

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: January 30, 2009

Type of Action: Authorization for Participation Agreement/Easement Grant

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver (1) a Participation Agreement regarding drainage between the City of Jacksonville and Springhill Missionary Baptist Church of NE Florida, Inc. and (2) a Grant of Easement granting Springhill, at no cost to Springhill, a drainage easement to allow stormwater runoff to flow from Springhill's property into a drainage pond site which is part of the Hart's Road Reconstruction Project.

Background: The project site is located in Council District. Springhill Missionary Baptist Church is located at 11046 Harts Road. The Participation Agreement (with exhibits), Instrument of Conveyance and Legal Description are all on file in Legislative Services.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-66

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

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

Date of Analysis: January 29, 2009

Type of Action: Declaration of Surplus; Ordinance Code Waivers

Bill Summary: This bill declares certain real property (Old Fire Station Number 21) to be surplus to City needs. Section 122.422(c), Ordinance Code, is waived to allow for the marketing and disposition of the subject property by auction, direct sale, or listing with a licensed real estate broker. Section 122.429, Ordinance Code, is waived to allow the net proceeds from the sale of the property to be deposited into the Fire Station Number 28 account for use in building the new fire station.

Background Information: The property is located on Morrow Street near its intersection with St. Augustine Road. Information from the Real Estate Officer reflects a total assessed value of \$355,638 for the two real estate numbers involved. The Real Estate Division is seeking the waiver of Section 122.422(c) in an effort to maximize City revenue from the sale, as it has found that the sealed bid process is the least effective method of selling real estate. The Fire and Rescue Dept. is seeking the waiver of Section 122.429 as it has determined that the proceeds from the sale of a surplus fire station are most appropriately expended on the building of a new fire station.

Policy Impact Area: Real Estate-Surplus Property; Fire and Rescue

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-67

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: January 30, 2009

Type of Action: Drainage Agreement Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver, an Agreement Regarding Drainage between the City of Jacksonville and Publix Super Markets, Inc. pursuant to which Publix will expand University Point Pond, the City's existing stormwater pond located near the intersection of University Boulevard and St. Augustine Road, and make a one-time maintenance payment in the amount of \$17,500 to the City in return for the City's accepting the conveyance by Publix of the additional pond area and providing perpetual maintenance of the drainage improvements and expanded pond area.

Background: The proposed improvements per the agreement will include increasing the pond area and necessary modifications to meet current permitting criteria. The project site is located in Council District 5.

Policy Impact: Public Works/Engineering & Construction Mgmt

Fiscal Impact: Terms of the Agreement approved by this bill require a one-time payment of \$17,500 to the City and City maintenance of the pond thereafter

Analyst: Jackson

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Bill Type and Number: Resolution 2009-68

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: January 29, 2009

Type of Action: Certification

Bill Summary: This bill makes findings and certifies that certain grant funds from the Emergency Medical Services Grant from the Florida Dept. of Health, Bureau of Emergency Medical Services, will be used to improve and expand the Duval County pre-hospital emergency medical services system and will not be used to supplant current levels of Duval County expenditures.

Background Information: The City has applied for an Emergency Medical Services Grant in the amount of \$245,951, and this certification is required as part of the application process.

Policy Impact Area: Emergency Medical Services; Fire and Rescue

Fiscal Impact: Undetermined; application is being made for grant funds in the amount of \$245,951

Analyst: Campbell

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Bill Type and Number: Resolution 2009-69

Sponsor: Council Member Jones

Date of Introduction: January 27, 2009

Committee(s) of Reference: RCD, LUZ

Date of Analysis: January 29, 2009

Type of Action: Expression of support for tax credit application

Bill Summary: The bill expresses the City's support for the application by Don't Miss A Beat, Inc. to participate in the state's Community Contribution Tax Credit in connection with the renovation of a building to house a summer music and arts camp for low-income and special needs children.

Background Information: The Community Contribution Tax Credit allows corporations making contributions of cash or goods to approved not-for-profit organizations to take a credit against their corporate income taxes for the amount of the donation. Don't Miss A Beat, Inc. proposes to renovate a building at 540 Owen Avenue in Council District 9 to house a summer art and music camp under the auspices of the Jacksonville Children's Commission's summer camp program. The Planning Department has certified that the proposed building renovation is consistent with the City's 2010 Comprehensive Plan.

Policy Impact Area: Assistance to not-for-profit organization

Fiscal Impact: None to City

Analyst: Clements

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Bill Type and Number: Resolution 2009-70

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Scott E. Trebatoski as Chief of Animal Care and Control within the Environmental and Compliance Department.

Background Information: Section 35.402, *Ordinance Code*, provides that the Chief of Animal Care and Control shall have a bachelor's degree or higher from an accredited college or university and at least five years of management experience preferably in the management of an animal care facility. Ms. Trebatoski received a master's degree from the University of Wisconsin in management/human resources. He was employed as the Director of Animal Services for Lee County from 2001 to 2007.

Policy Impact Area: Environmental and Compliance Department / Animal Care and Control Division operations

Fiscal Impact: The salary range for the position is \$76,317 to \$122,107 annually.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-71

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Christopher T. Corr as a member of the Jacksonville Economic Development Commission (JEDC), filling the slot formerly held by Bob Rhodes, for a term ending June 30, 2010.

Background Information: §24.03, *Jacksonville Charter, Part A*, provides that the nine of members of the JEDC shall be residents appointed by the Mayor and confirmed by Council. Mr. Corr received a bachelor's degree from the University of Florida and is the Chief Executive of *EDAW Americas East*. He resides in the Miramer area within Council District #5.

Policy Impact Area: Jacksonville Economic Development Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-72

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 28, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Steven T. Jenkins as a member of the Environmental Protection Board, replacing Michael Templeton as an affected industry representative, for a four-year term ending September 30, 2012.

Background Information: Section 73.101, *Ordinance Code*, provides that six of the members of the Environmental Protection Board are to be appointed by the Mayor in various categories including a representative of industries affected by and subject to the Board's jurisdiction. Mr. Jenkins received a bachelor's degree in business finance from Mercer University and is a licensed Asbestos Contractor. He is the Executive Vice President of *Moran Environmental Recovery*. Mr. Jenkins resides in Atlantic Beach within Council District #13.

Policy Impact Area: Environmental Protection Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-73

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of David V. Rice, M.D. as a member of the Environmental Protection Board, replacing Michael Larmoyeux as a medical profession representative, for an unexpired term ending September 30, 2009.

Background Information: Chapter 73, *Ordinance Code*, provides that six of the members of the Environmental Protection Board are to be appointed by the Mayor in various categories including the medical profession. Dr. Rice received a medical degree from the University of Florida and resides in the San Jose Forrest area within Council District #5.

Policy Impact Area: Environmental Protection Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-74

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Tony C. Bellamy, P.E. as a member of the Environmental Protection Board, replacing Elizabeth Ball as a discreet citizen representative, for a four-year term ending September 30, 2012.

Background Information: Chapter 73, *Ordinance Code*, provides that six of the members of the Environmental Protection Board are to be appointed by the Mayor in various categories including discreet citizens representing the general public. Mr. Bellamy received a master's degree in engineering management from the University of South Florida and is the Director of Environmental Engineering and Field Services with *CSX Transportation, Inc.* He resides in the Mandarin Station area within Council District #6.

Policy Impact Area: Environmental Protection Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2009-75

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Lee R. Brown, III as a member of 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 four of the members of the Duval Council Job Opportunity Board are appointed by the Mayor, subject to approval by resolution of the City Council. Mr. Brown received a master's degree in human resource management from Webster University and is the Human Resources Director at *Edward Waters College*. He resides in Orange Park.

NOTE: This bill may need to be amended to state the "substantial business or philanthropic contribution" of the appointee in accordance with Section 50.102(c), *Ordinance Code*.

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 2009-76

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2008

Committee(s) of Reference: R

Date of Analysis: January 28, 2009

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Mayor's reappointment of Lisa A. Mancini as a member of 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 four of the members of the Duval Council Job Opportunity Board are appointed by the Mayor, subject to approval by resolution of the City Council. Ms. Mancini received a master's degree in city and regional planning from Harvard University and is Senior Vice President of Human Resources & Labor Relations with *CSX Corporation*. She resides in St. Johns County.

NOTE: This bill may need to be amended to state the "substantial business or philanthropic contribution" of the appointee in accordance with Section 50.102(c), *Ordinance Code*.

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 2009-77

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's reappointment of Dr. Edythe M. Abdullah 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 Council Job Opportunity Board are appointed by the President of the City Council, subject to approval by resolution of the City Council. Dr. Abdullah received a law degree from the University of Florida and is the Downtown Campus President at *Florida Community College at Jacksonville*. She currently serves on the Jacksonville Journey Oversight Committee and has previously served on the Construction Trades Qualifying Board, the Water and Sewer Infrastructure Task Force, and the Jacksonville Housing and Community Development Commission. Dr. Abdullah resides in the Oceanway area within City Council District #11.

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 2009-78

Sponsor: Council President at the request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the Council President's reappointment of Roger S. Williams 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 Council Job Opportunity Board are appointed by the President of the City Council, subject to approval by resolution of the City Council. Mr. Williams received a bachelor's degree in business administration from Evansville University and owns *Quality Sign Company, Inc.* He resides in the Girvin area within City Council District #3.

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 2009-79

Sponsor: Council President Fussell

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Steven M. Blumberg to the Health Planning Council of Northeast Florida, Inc., filling the slot formerly held by Vincent Johnson in the "provider" category, for an unexpired term ending September 30, 2010.

Background Information: Section 408.033, *Florida Statutes*, and the bylaws of the Health Planning Council provide that the Board of Directors shall be made up of health care consumers, providers and purchasers, with a provider being an individual who is a licensed health care professional. Mr. Blumberg received a master's degree in business administration and is the Vice President-Planning and Business Development for *Shands Healthcare*. He resides in St. Johns County.

Policy Impact Area: Health Planning Council of Northeast, Inc. operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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LEGISLATIVE SUMMARY



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Bill Type and Number: Resolution 2009-80

Sponsor: Council President Fussell

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Carol J. Hladki to the Enterprise Zone Development Agency Board, replacing Gordon Bass as the law enforcement agency representative, 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 law enforcement agency. Director Hladki received a master's degree in public administration from Central Michigan University and is the Director of Police Services with the Jacksonville Sheriff's Office.

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 2009-81

Sponsor: Council President Fussell

Date of Introduction: January 27, 2009

Committee(s) of Reference: R

Date of Analysis: January 22, 2009

Type of Action: Reappointment

Bill Summary: This bill reappoints Kimberly N. Scott to the Enterprise Zone Development Agency Board, as the local code enforcement agency representative, for a second 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 code enforcement agency. Ms. Scott received a master's degree in public administration from UNF and is the Chief of the Municipal Code Compliance Division.

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: Ordinance 2009-86

Sponsor: Council President pursuant to Sec. 118.203, Ordinance Code

Date of Introduction: January 27, 2009

Committee(s) of Reference: PHS

Date of Analysis: January 29, 2009

Type of Action: Declaration of Public Service Grant priority populations for FY2009/10

Bill Summary: The bill as introduced provides the vehicle for the annual designation of the “priority populations” for the annual Public Service Grant process, leaving the actual listing of the priority populations blank for completion during the committee review process.

Background Information: The Ordinance Code requires that the City Council establish “priority populations” to be served by the Public Service Grant process by February 15th of each year in order to guide the Public Service Grant Committee in its application review and selection process. The grant committee will be guided by these priorities in recommending a list of approved projects to the Council for adoption in the annual budget ordinance. The designated priority populations for FY2008/09 were: 1) homeless and low-income persons and families; 2) victims of abuse and neglect; 3) adults with physical, mental and behavioral disabilities; 4) residents of neighborhoods at high risk of crime; and 5) improvements to quality of life through cultural activities.

Policy Impact Area: Public Service Grant prioritization and evaluation

Fiscal Impact: None immediately; the Council will determine the amount funding available for allocation to public service grants during the FY09/10 budget process.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-87

Sponsor: TEU Committee

Date of Introduction: January 27, 2009

Committee(s) of Reference: TEU

Date of Analysis: January 29, 2009

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and NHG Holdings, LLC for a warehouse project known as Yellow Water Industrial. The fair share assessment is \$1,813,374 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 321 p.m. peak hour trips being generated on links in fair share fund sector 4.1 as follows:

| <u>Road segment</u> | <u>Peak p.m. hour trips</u> |
|---|-----------------------------|
| Beaver Street West – US 301 to Otis Road | 108 |
| US 301 – Nassau County Line to Baldwin north city limit | 19 |
| Yellow Water Road – Normandy Boulevard to Beaver Street | 194 |

Background Information: The project consists of up to 500,000 square feet of warehouse space on 34.11 acres on Yellow Water Road between I-10 and Deep Creek Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$1,813,374 to the Sector 4.1 account.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-88

Sponsor: TEU Committee

Date of Introduction: January 27, 2009

Committee(s) of Reference: TEU

Date of Analysis: January 29, 2009

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Palm Pointe Holdings, LLC for a mixed use project known as Dunn Creek Townhomes. The fair share assessment is \$2,690,970 with a 10-year term and an inflation rate of 3.3% per year. Concurrency Review estimated a total of 1,759 p.m. peak hour trips being generated on links in fair share fund sector 6.1 as follows:

| <u>Road segment</u> | <u>Peak p.m. hour trips</u> |
|---|-----------------------------|
| SR 9A – Main Street to Heckscher Drive | 159 |
| SR 9A – Heckscher Drive to Merrill Road | 214 |
| Heckscher Drive – Busch Drive to Drummond Point | 244 |
| Heckscher Drive – SR 9A to Blount Island | 245 |
| Heckscher Drive – Blount Island to SR A1A/ferry slip | 52 |
| Heckscher Drive – Drummond Point to August Drive | 267 |
| New Berlin Road – Cedar Point Road to Heckscher Drive | 15 |
| Eastport Road – Faye Road to Heckscher Drive | 23 |
| Alta Drive – Rushing Branch to Faye Road | 26 |
| Heckscher Drive – August Drive to SR 9A | 470 |
| Alta Drive – Faye Road to SR 9A | 28 |
| Alta Drive – SR 9A to New Berlin Road | 16 |

Background Information: The project consists of up to 250,000 square feet of warehouse space, a 150 room hotel, 20,000 square feet of retail space, 20 condominium units, a 250-seat sit-down restaurant, a gas station, a fast food restaurant with drive-through, a bank with drive-through, and a 40,000 square foot office building on 36 acres on the northwest corner of the intersection of Zoo Parkway and State Road 9A in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$2,690,970 to the Sector 6.1 account.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-89

Sponsor: Council President at the Request of the Mayor

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: January 29, 2009

Type of Action: Lease Authorization

Bill Summary: This bill approves a lease agreement with the Jacksonville Housing Authority, authorizing the Mayor, or designee, to execute said agreement.

Background Information: The lease is for approximately 1,400 square feet of office space in the Hope VI Building at 1605 North Myrtle Avenue, and the space will be used to house personnel for the Ash Remediation Outreach Program. The agreement is for 3 years, ending September 30, 2011, with options to renew for 3 additional 1-year periods. The base monthly rental is shown on Exhibit B of the lease as being \$1,300, with other lease provisions being made for the City to pay for certain costs of build-out of the premises. The actual rental amount will be determined by how these costs are paid. The body of the legislation, the fact sheet, and a memorandum from the Real Estate Division indicate a monthly rental of approximately \$1,400.

NOTE: It appears that not all of the exhibits referenced in the lease have been attached to the lease, such as the exhibits mentioned in Section XXI (Additional Terms) dealing with the rental amount and build-out.

Policy Impact Area: Real Estate-Leases; Ash Remediation

Fiscal Impact: To be determined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-90

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: January 30, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$166,250 (a \$125,000 grant received from the Florida Office of Tourism, Trade and Economic Development and a 33% local match in the amount of \$41,250 to be provided through an in-kind contribution of staff services to be performed by the Chief of Military Affairs and the AMIO) to provide funding for the payment of certain military affairs consulting and advocacy services provided by consultants selected by the City as initiated by B.T. 09-057; provides a carryover of funds to Fiscal Year 2009-2010; approves and authorizes the Mayor and Corporation Secretary to execute and deliver a Defense Reinvestment Grant Agreement and other documents and to take further action to implement the objectives of this ordinance.

Background: The State Legislature created a grant program to assist communities with military installations that might be adversely affected by federal base realignment or closure actions. Though BRAC (Base Realignment and Closure Commission) analysis has been completed, Jacksonville continues to work on a number of defense related issues which impact ship count and port capabilities at Naval Station Mayport, as well as the relocation of squadrons and aircraft to NAS Jacksonville.

Policy Impact: Recreation & Community Services/Military Affairs, Veterans and Disabled Services Division

Fiscal Impact: This bill appropriates \$166,250.

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2009-91

Sponsor: Council Member Webb

Date of Introduction: January 27, 2009

Committee(s) of Reference: LUZ

Date of Analysis: January 29, 2009

Type of Action: Ordinance Code Amendment/Map Adoption

Bill Summary: This bill amends Section 656.399.10 to replace a reference to "Revised Exhibit 1" with a specific reference to the Mandarin Road Overlay map. Additionally, clarification is made to one of the land use and zoning application evaluation criteria (compatibility with surrounding lot sizes and density) to require that development not exceed one dwelling unit per one net acre. Any dwelling unit permitted within the Mandarin Road Overlay on the date of adoption of this ordinance which is or will be on less than one net acre is deemed a legal and permitted use, and such dwelling units may be repaired or reconstructed after disaster, notwithstanding the prohibition against development greater than one dwelling unit per acre. The Mandarin Road Overlay map is adopted by Council, and the Planning and Development Dept. is directed to publish said map on the City's website with a copy of the enacted ordinance.

Background Information: As stated in the legislation, the City has consistently enforced existing zoning regulations limiting density in order to protect the character of the Mandarin Road area, and specifically enforced limiting density to one unit per acre as successfully defended in *Hulsberg v. City of Jacksonville, et al*, wherein the Court acknowledged the heavily wooded, estate-type residential nature of the Mandarin Road area. It is further stated that the Council does not intend to remove existing rights under the current zoning districts applicable to properties within the overlay, but finds that the Planning and Development Dept. should review all land use and zoning applications for consistency with the criteria adopted in the ordinance to protect the overlay area.

Policy Impact Area: Planning and Zoning; Mandarin Road Zoning Overlay

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-92

Sponsor: Council President at the request of the Mayor:

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: January 30, 2009

Type of Action: Authorization for Agreements Amendment

Bill Summary: This ordinance concerns projects between the City of Jacksonville and CSX Corporation, Inc., authorizing the Mayor and Corporation Secretary to execute an amendment to agreements with CSX Transportation, Inc. to incorporate the Florida Department of Transportation rate schedule ("FDOT Schedule") for railroad signal maintenance costs and providing for and authorizing continued future use of such FDOT schedule for other agreements not included on the list of amended agreements.

Background: There are approximately 91 various agreements that the City has with CSX. This legislation authorizes the Mayor and Corporation Secretary to include the FDOT rate schedule to determine the City's 50% responsibility of railroad grade crossing signal maintenance costs. The agreements, dating back several decades, pertain to the financial obligations of both parties sharing costs of maintaining railroad grade crossing signals but did not provide language indicating that FDOT rate schedules may be revised from time to time.

Policy Impact: Public Works/Right of Way and Grounds Maintenance Division

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2009-93

Sponsor: Council Members Lee, Brown, Gaffney, Johnson and Jones

Date of Introduction: January 27, 2009

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

Date of Analysis: January 29, 2009

Type of Action: Petition to procurement officers and agencies regarding Jacksonville Journey procurement

Bill Summary: The bill requests and urges the agencies, employees, boards, commissions and committees responsible for implementing the Jacksonville Journey plan to make substantive efforts to craft procurement documents and processes in such a way so as not to disadvantage small organizations in the process and to ensure that small service providers have a fair opportunity to be chosen for Jacksonville Journey contracts.

Background Information: The bill's preamble states that while it may seem simpler from a procurement aspect to choose a small number of large-scale service providers to provide the majority of the Jacksonville Journey services, smaller organizations may also provide expertise and quality services and may have closer ties to the grassroots of their communities in a way that promotes and facilitates the Journey's goals.

Policy Impact Area: Jacksonville Journey procurement

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2009-94

Sponsor: Council Member Shad:

Date of Introduction: January 27, 2009

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

Date of Analysis: January 30, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$13,918.95 from District 5 – Autumn Bond Funds to provide a historic marker to the San Marco Town Center; the ordinance invokes the exception to 126.107 (G) to use Pedoni’s Cast Stone, Inc.; finds a municipal purpose; appoints the Department of Public Works to oversee the project.

Background: The San Marco Town Center Project’s cost totaled in excess of \$1.6 million. The funds available for the project were exhausted and were not able to be utilized for the Town Center Marker. The City finds that the use of District 5 bond funds to construct the Town Center Marker, thus completing the design and plan for the Town Center, is a valid purpose and in the best interest of the City. The bill authorizes the City to procure the services of Pedroni’s Cast Stone without the usually required competitive bidding. Neighborhood groups such as the San Marco Preservation Society had considerable input in the project.

Policy Impact: Town Centers/Public Works

Fiscal Impact: The bill appropriates \$13,918.95

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-95

Sponsor: Council Member Holt

Date of Introduction: January 27, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: January 29, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$35,361.03 from a Trail Ridge Mitigation Funds account to provide funding for improvements at Maxville Park. It is required that funds not expended for the project revert to the funding source of origin. Provision is made for the carryover of appropriated funds to the 2009-2010 fiscal year.

Background Information: The improvements include field netting, bases, batting cage, and scoreboards for the baseball fields.

Policy Impact Area: Recreation and Parks; Trail Ridge Mitigation Funds

Fiscal Impact: \$35,361.03 is appropriated by this ordinance

Analyst: Campbell