

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

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117 West Duval Street
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Bill Type and Number: Ordinance 2009-232

Sponsor: Council President at the Request of the Mayor

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$750,501.41 (\$473,014.41 from Nuisance Abatement Liens; \$71,316.76 from Interest Sanitary Assessment; \$118,207.65 from Demolition Assessment; and \$87,962.59 from Code Violation Fines) to the Nuisance Abatement Lien Special Revenue Fund for city-wide nuisance abatement contracting. Provision is made for the carryover of appropriated funds into the 2009-2010 fiscal year.

Background Information: The Nuisance Abatement Lien Special Revenue Fund was created by Ordinance 2007-286-E, and it supplements general revenue funding for nuisance abatement contractual services.

Policy Impact Area: Nuisance Abatement

Fiscal Impact: Undetermined; \$750,501.41 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-233

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 10, 2009

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

Date of Analysis: March 13, 2009

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$1,207,500 (\$607,500 in Big-P Grant Funds received from the Florida Fish & Wildlife Conservation Commission and \$600,000 from Reserves) to provide funding for the installation of water/electric power pedestals at Metro Park Marina, as initiated by B.T. 09-088; provides a carryover of funds into Fiscal Year 2009-2010; amends the 2008-2012 Five-Year Capital Improvement Program, approved by Ordinance 2008-555-E, to include the "Metro Park Marina Water/Electric" project; approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Grant Award Agreement and take further action to implement the purpose of this ordinance; provides for City oversight by the Planning & Development Department.

Background: Installation of water/electric power pedestals will provide boats that moor at Metro Park Marina with outlets for and access to electrical power. The City will charge the boat owners for the electricity consumed. The BIG-P Grants of the Florida Fish & Wildlife Conservation Commission emanate from the Boater Infrastructure Grant Program.

Policy Impact: Planning & Development Department/Community Planning Division/Boating

Fiscal Impact: This bill appropriates \$1,207,500 in a combination of a State grant and a City match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-234

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 13, 2009

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$100,000 (\$50,000 in Artificial Reef Grant Funds received from the Florida Fish and Wildlife Conservation Commission and \$50,000 from Reserves) to provide funding for the construction of an artificial reef off the coast of Duval County, as initiated by B.T. 09-090; provides a carryover of funds into Fiscal Year 2009-2010; amends the 2008-2013 Five-Year Capital Improvement Program, approved by Ordinance 2008-555-E, to include the project entitled "Artificial Reef"; approves and authorizes the Mayor and Corporation Secretary to execute and deliver the Grant Award Agreement and take further action to implement the purpose of this ordinance; and provides for City oversight by the Environmental and Compliance Department.

Background: The fishing industry is a major proponent for the construction of artificial reefs; the reefs attract fish that, in turn, attract fisherman, both sports and commercial. For years, the artificial reefs were operated by private fishing clubs. When Jacksonville's permits for the construction and maintenance of artificial reefs expired nearly a decade ago, concern was raised about the City's liability for the reefs. Having renewed permits for the artificial reefs from the U.S. Army Corps of Engineers, the City will be liable for the reefs but will rely on private fishing clubs to assist in the maintenance of the reefs.

Policy Impact: Environmental Compliance Department

Fiscal Impact: This ordinance appropriates \$100,000, half of which comes from a State grant, the other half from the City's reserves account.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-256

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 13, 2009

Type of Action: Lease Agreement Amendment

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a First Amendment to the Lease Agreement between the City of Jacksonville and Jacksonville Marine Charities, Inc. ("Lessee") for Lessee's use of areas and facilities at Sisters Creek Park in conducting an annual fishing tournament so as to charge Lessee rent based on the number of days the park is closed to the public for Lessee's exclusive use in conducting the tournament rather than the current fixed annual rent, thus making Lessee's rent structure consistent with that of other tournaments; provides for City oversight by the Department of Recreation and Community Services.

Background: The changes in the Lease Agreement that this ordinance creates will enable the King Fish Tournament, sponsored by Jacksonville Marine Charities, Inc. to save money by decreasing the number of days that it currently uses to set up the tournament. This lease agreement change adjusts the rent structure to be consistent with fees charged other tournaments that use the Sisters Creek facilities.

Policy Impact: Recreation & Community Services

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-257

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 10, 2009

Committee(s) of Reference: F, TEU

Date of Analysis: March 12, 2009

Type of Action: Authorization of lease renewal

Bill Summary: The bill authorizes the renewal of the submerged land lease between the City and the State of Florida for the Southbank Riverwalk east and west pavilions at the foot of the Main Street Bridge for a period of 5 years from January 17, 2009 through January 17, 2014 for the purpose of operating a maritime museum and a public information center. The lease is granted at no cost provided the City continues to maintain the current uses and does not engage in any profit-making activities on the site.

Background Information: The pavilions at the south end of the Main Street Bridge have been leased for a number of years to the Maritime Museum Society for the operation of the Jacksonville Maritime Museum and to the Jacksonville Historical Society for the operation of the Jacksonville Historical Center. The state submerged lands lease requires the City to post manatee information and information about the river and the importance of submerged seagrass beds at the site for the general public's information.

Policy Impact Area: Public access to and enjoyment of the St. Johns River

Fiscal Impact: None – the lease is at no cost

Analyst: Clements

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Bill Type and Number: Ordinance 2009-258

Sponsor: Council President at the request of the Sheriff

Date of Introduction: March 10, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: The bill appropriates a federal Department of Homeland Security grant in the amount of \$67,600 to the Sheriff's Office to purchase equipment to improve the department's ability to respond to chemical, biological, radiological, nuclear and explosive (CBRNE) incidents and threats. No local match is required.

Background Information: The Sheriff's grant application indicates that the grant will be used for the purchase of several items to improve the JSO's emergency response capabilities, including: a cooling system for the protective suit worn by a bomb disposal officer, a Segway transporter, several blast protection screens, a high-powered cutting torch, and underwater response and recovery equipment.

Policy Impact Area: Emergency preparedness

Fiscal Impact: The bill appropriates a \$67,600 federal grant with no local match required.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-259

Sponsor: Council President at the Request of the Sheriff

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$76,828 from the United States Dept. of Homeland Security, Office of Domestic Preparedness, through the Florida Department of Law Enforcement, for the Jacksonville Sheriff's Office Aviation Unit. Funds are to be used for the purchase of identified equipment in gaps relevant to intelligence and information gathering, and to chemical, biological, radiological, nuclear, and explosive (CBRNE) and all-hazards response capabilities for the Jacksonville Sheriff's Office Aviation Unit in anti-terrorism operations. The legislation states that there is no local match.

Background Information: The Sheriff's Aviation Unit has identified gaps in equipment needs for operational periods during a tactical CBRNE event, intelligence gathering deployment, and urban search and rescue response. The equipment will assist in assessment and response relative to all hazards events, mitigating risk potential to victims and first responders and decreasing consequences. In particular, funds will be used to purchase moving map units and aircrew helmets with night vision goggles mounts.

Policy Impact Area: Office of the Sheriff

Fiscal Impact: Undetermined; \$76,828 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-260

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 10, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: The bill appropriates a U.S. FEMA grant of \$143,740.80 and a private local match of \$15,971.20 (total appropriation \$159,712) to the Fire and Rescue Department/Emergency Management Division for the purpose of funding a contract to remediate a repetitive flooding hazard by demolishing and rebuilding at a higher elevation a home located at 2811 W. 4th Street.

Background Information: The FEMA grant is part of the Severe Repetitive Loss Mitigation Grant Program that seeks to remediate properties that are subject to repeated flooding, either by buying out the homeowner, demolishing the structure and leaving the land vacant, or by assisting the owner to demolish the existing structure, import fill dirt to raise the lot above flood level, and rebuilding the structure at the higher elevation. The homeowner is required to pay 10% of the total project cost, with FEMA paying the other 90%. There is no City match requirement. This particular property has been flooded at least 6 previous times.

Policy Impact Area: Flooding prevention

Fiscal Impact: None to the City – the homeowner is providing a 10% match to the FEMA 90% grant.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-261

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 10, 2009

Committee(s) of Reference: F

Date of Analysis: March 12, 2009

Type of Action: Increase in Banking Fund authorization cap; revision of Banking Fund improvements project list

Bill Summary: The bill increases the total borrowing authorization for the Banking Fund from \$339,167,917 to \$342,913,226 and revises the Banking Fund project list to reflect the addition of allocations for the purchase of the Fire and Rescue Department's new 911 Computer Aided Dispatch (CAD) system (\$1,761,461) and the purchase of FY09 fleet replacement vehicles (\$1,983,848). The bill declares the City's intention to repay the banking fund for the proceeds of this borrowing.

Background Information: The two purchases to be funded through the expansion of the Banking Fund borrowing authority were or are in the process of being approved by the City Council as Ordinance 2009-54 (Fire and Rescue CAD system – approved February 24, 2009) and Ordinance 2009-205 (fleet replacement vehicles – introduced February 24, pending in Finance and Rules Committees).

Policy Impact Area: Capital project procurement; Banking Fund expansion

Fiscal Impact: The bill increases the cap on the Banking Fund by \$3,745,309 to provide loan capacity to fund two capital procurement projects.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-262

Sponsor: Council Member Brown

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$420,000 from a Class III Mitigation-Transfer from Retained Earnings (Old Kings Road) account to (1) refurbish athletic fields, install a batting cage and grills, and purchase land to increase parking for Scott Park (\$120,000) and (2) construct a new concession stand and restroom building for Singleton Park (\$300,000). The Five-Year Capital Improvement Program is amended for the Scott Park Fields/Amenities and Singleton Concessions/Restrooms projects, and it is requested that the Mayor appoint the Dept. of Recreation and Community Services to oversee the projects. Provision is made of the carryover of appropriated funds into the 2009-2010 fiscal year. Funds not used before September 30, 2010 shall revert proportionately to the sources of origin.

NOTE: Amendments correcting the CIP pages, clarifying the appropriation in the title, and revising the reversion provisions are anticipated.

Background Information: Scott Park is located at 2745 Hamilton Circle and Singleton Park is located at 7000 Richardson Road.

Policy Impact Area: Mitigation Funds; Recreation and Parks; Capital Improvements

Fiscal Impact: Undetermined; \$420,000 is appropriated by this bill

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-263

Sponsor: Council Member Gaffney

Date of Introduction: March 10, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: March 12, 2009

Type of Action: Appropriation

Bill Summary: This bill appropriates \$417,850 from a Tree Protection and Related Expenses Trust Fund account for the planting of trees along portions of various streets in the Long Branch area.

Background Information: The purchase and installation of the trees is to be provided by Davey Tree Expert Company under a continuing contract valid through December 23, 2009.

Policy Impact Area: Landscaping and Tree Protection

Fiscal Impact: Undetermined; \$417,850 is appropriated by this ordinance

Analyst: Campbell

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Bill Type and Number: Resolution 2009-264

Sponsor: Council Member Davis

Date of Introduction: March 10, 2009

Committee(s) of Reference: R; TEU

Date of Analysis: March 13, 2009

Type of Action: Policy Expression

Bill Summary: This resolution opposes the current draft of the St. Johns River Water Management District's proposed rule regarding the release of conservation easements; the resolution expresses support of revisions by Osceola County and Orange County; the resolution directs the Chief of Legislative Services to forward a copy of this resolution to the District Governing Board and the Executive Director of the St. Johns River Water Management District Board.

Background: Conservation easements are agreements that are used to preserve and maintain environmental functions such as conserving open space and environmentally sensitive lands and wildlife habitats. The easements are restrictions on encroachments on environmentally sensitive areas for either development or public projects. The newly proposed rule of SJRWMD for the release of conservation easements would negatively impact local government's ability to release such easements for public projects. This resolution opposes that proposed rule. The resolution expresses the Council's support of revisions to the proposed rule recommended by Osceola County and Orange County that delete the fair market value criteria and include the ability to exchange conservation easements in other basins and the ability to purchase credits through mitigation banks.

Policy Impact: St. Johns River Water Management District/Environment/Easements

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2009-265

Sponsor: Council President at the request of the Sheriff

Date of Introduction: March 10, 2009

Committee(s) of Reference: R

Date of Analysis: March 10, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Sheriff's appointment of J. Carson Tranquille as the Chief of the Patrol-East Division, within the Sheriff's Office, effective February 26, 2009.

Background Information: Section 37.102(a), *Ordinance Code*, provides that Division Chiefs in the Sheriff's Office shall have a college degree or at least five years' training and experience. Asst. Chief Tranquille received a master's degree in organizational management from the University of Phoenix. He has been employed with the Sheriff's Office since 1988, working his way up from Police Recruit to Police Lieutenant in 2001, a position he held until his appointment as Assistant Chief in 2003.

Policy Impact Area: Jacksonville Sheriff's Office operations

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

Analyst: Welsh