

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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Bill Type and Number: Resolution 2009-270 (adopted as an emergency on 1st reading 3/24/09)

Sponsor: Council President pursuant to Ordinance Code Chapter 92

Date of Introduction: March 24, 2009

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

Date of Analysis: March 26, 2009

Type of Action: Determination of need to hold public hearing

Bill Summary: The bill states the Council's determination that it does not need to hold a public hearing separate from the hearing already being conducted by a Florida administrative law judge on the proposed combination of the Split Pine and Tolomato community development districts in southern Jacksonville and northern St. Johns County.

Background Information: The two community development districts (CDDs), though intended to serve the same development, were created separately in 2004 because state law at the time prohibited multi-county CDDs. The state law has since been changed and the developer plans to combine the two districts. That process requires a public hearing conducted by an administrative law judge, and also permits the counties in which the districts are located to hold optional public hearings if they wish. The bill states that, since there has been no apparent public demand for or controversy over the CDD combination proposal, the City declines to schedule its own independent public hearing.

Policy Impact Area: Community development district operations

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2009-271

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

Date of Introduction: March 24, 2009

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

Date of Analysis: March 27, 2009

Type of Action: Brownfield Designation

Bill Summary: This resolution designates certain developable areas (approximately 45.7 acres owned by Imeson Consolidated Services, LLC, "ICS") at Imeson International Industrial Park as a Brownfield Area, areas that are contiguous to the Imeson Industrial Park Brownfield Area designated by Resolution 2004-1386-A; limitation of City liability; notifies the Florida Department of Environmental Protection; recommendation of Brownfield Bonus for ICS project with waiver of local match; designates the Jacksonville Economic Development Commission for oversight. The site is located in Council District 11.

Background: The Florida Brownfields Redevelopment Act encourages reusing abandoned and underused real property that may be degraded by actual or perceived environmental contamination, by tax relief related to job creation, remediation funds and environmental regulatory relief. The law requires that the City notify the State of the Brownfield designation. ICS proposes to create 75 permanent full-time new jobs and construct a 210,000 square foot refrigerated warehouse and distribution center at an estimated cost of \$32.8 million. The 45.7-acre undeveloped tract of land is located at 898 Malnove Drive in the Imeson Industrial Park. The City wishes to support tax refunds for the company in the maximum amount payable by the state in the Brownfield Redevelopment Bonus Refund Program.

Policy Impact: Economic Development/Brownfields/Jacksonville Economic Development Commission

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2009-272

Sponsor: Council President Fussell at the request of the Southwest District CPAC

Date of Introduction: March 24, 2009

Committee(s) of Reference: R

Date of Analysis: March 20, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Southwest District Citizen's Planning Advisory Committee's (CPAC) appointment of Thomas R. Martin to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, filling the slot formerly held by Lee Martin, for a partial term ending June 30, 2010.

Background Information: Section 57.102, *Ordinance Code*, provides that six of the members of the TRUE commission shall be selected, one each by the CPACs in the six Planning Districts, and shall be confirmed by the Council. Mr. Martin received a bachelor's degree from Clarkson University and resides in the Chimney Lakes area within Council District #11.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-274 (adopted as an emergency on 1st reading 3/24/09)

Sponsor: Council President Fussell

Date of Introduction: March 24, 2009

Committee(s) of Reference: R

Date of Analysis: March 26, 2009

Type of Action: Support of Sister City twinning; request for emergency passage

Bill Summary: The bill endorses the establishment of a Sister Cities relationship between Jacksonville and Curitiba, Brazil. Emergency action is requested in order to approve the resolution at the last Council meeting prior to the signing ceremony scheduled for April 3rd.

Background Information: Curitiba would be Jacksonville's seventh Sister City and second in South America (joining Bahia Blanca, Argentina). Curitiba has a population of approximately 1.8 million and it is the primary economic and cultural center for the southern portion of Brazil. The city is internationally known for its efficient mass transit system and for its urban planning.

Policy Impact Area: Sister City relationship

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2009-275

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

Date of Introduction: March 24, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 27, 2009

Type of Action: Approval of Bond Issuance

Bill Summary: This bill authorizes and approves the issuance by the Jacksonville Housing Finance Authority of its Multifamily Housing Revenue Bonds (the Arlington Multifamily Housing Portfolio), Series 2009, in an aggregate principal amount not to exceed \$27,500,000 for the purpose of financing the acquisition, rehabilitation, and equipping of eight multifamily rental housing developments located in the City of Jacksonville (Council District 7), collectively referred to as “the Arlington Multifamily Housing Portfolio Project” and each being commonly referred as the following: “Colony Apartments,” “Forest Park Apartments,” “Georgetown Apartments,” “Greenbrier Apartments,” “Matanzas Apartments,” “Monterey Manor Apartments,” “Sweetbriar I & II Apartments,” and “Villa Capri I & II Apartments,”; determining credit not being pledged.

Background: Florida Statutes and the Municipal Code of Jacksonville authorize and empower the Jacksonville Housing Finance Authority to issue mortgage revenue bonds for the purpose of providing funds to finance the debt of a “qualifying housing development.” The bond issuance in this authorization includes an approximate 725 unit multifamily rental housing development in eight multifamily residential dwelling facilities located at: 2705 Stardust Road; 3206 Justina Road; 5611 Holly Bell Road; 3031 Tall Pine Lane West; 5462 Matanzas Way; 1038 Caliente Drive; 5736 Merrill Road; and 3102 Tall Pine Lane West, plus the acquisition of a central office building located at 2647 Cesery Blvd. The Jacksonville Housing Finance Authority believes that the Arlington Multifamily Housing Portfolio Project assists in alleviating the shortage of rental housing for eligible persons of moderate, middle and lesser income and that the issuance of the Bonds will assist in alleviating the shortage of capital available for investment in such rental housing and thereby increase the welfare and tax base of the State and County.

Policy Impact: Affordable Housing/Jacksonville Housing Finance Authority

Fiscal Impact: The bill approves and authorizes the issuance of revenue bonds in an aggregate amount not to exceed \$27,500,000.

Analyst: Jackson

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Bill Type and Number: Resolution 2009-276

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

Date of Introduction: March 24, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 27, 2009

Type of Action: Bond Issuance Authorization

Bill Summary: This bill authorizes and approves the issuance by the Jacksonville Housing Finance Authority of its Multifamily Housing Revenue Bonds (Bennett Creek Apartments), Series 2009, in an aggregate principal amount not to exceed \$33,000,000 for the purpose of financing the acquisition, construction, and equipping of a multifamily rental housing development located in the City of Jacksonville (Council District 4) to be known as "Bennett Creek Apartments;" determining credit not being pledged.

Background: Florida Statutes and the City's Municipal Code authorize and empower the Jacksonville Housing Finance Authority to issue mortgage revenue bonds for the purpose of providing funds to finance the debt of a "qualifying housing development." The bond issuance that this bill authorizes includes an approximate 264 unit multifamily rental housing development to be known as Bennett Creek Apartments located at the South side of Bowden Road, East of Salisbury Road, Jacksonville. The Richman Group of Florida, Inc., a Florida corporation is the borrower. The Authority believes that the Bennett Creek Apartments Project assists in alleviating the shortage of rental housing for eligible persons and families of moderate, middle and lesser income and the issuance of the Bonds will assist in alleviating the shortage of capital available for investment in such rental housing, thereby increasing the health, safety, welfare and tax base of the State and County.

Policy Impact: Affordable Housing/Jacksonville Housing Finance Authority

Fiscal Impact: The bill approves and authorizes the issuance of revenue bonds in an aggregate amount not to exceed \$33,000,000.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-277

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 24, 2009

Committee(s) of Reference: F, RCD

Date of Analysis: March 26, 2009

Type of Action: Approval of housing assistance plan; authorizing carry-over of funds to additional fiscal years

Bill Summary: The bill approves the City's new 3-year Local Housing Assistance Plan (2009-10, 2010-11 and 2011-12) for the purpose of qualifying the City to continue participating in the State Housing Initiatives Partnership (SHIP) funding program. The bill approves the submission of the plan to the Florida Housing Finance Corporation and authorizes the Housing and Community Development Commission to make non-substantive changes to the plan and to take such other actions as may be necessary to submit the plan to the state and achieve its approval by SHIP. The bill also authorizes the carry-over of housing assistance funds from one fiscal year to the next.

Background Information: The LHAP encompasses strategies for owner-occupied rehabilitation a) city-wide and b) in particular target areas, c) a construction loan fund for single-family homeownership, d) a down payment/closing cost assistance fund, e) emergency rental assistance and utility deposit assistance for persons who are homeless or in danger of becoming homeless, f) a rental rehabilitation program, g) a community housing development organization (CHDO) development subsidy program, h) a foreclosure prevention initiative, and i) disaster recovery program. The LHAP incentives include expedited permitting processes, financial assistance, regulatory relief, waiver of certain tax and nuisance abatement liens, use of City surplus property for housing development purposes, and concurrency system incentives. The plan includes eligibility criteria and financial assistance guidelines for all of the programs.

Policy Impact Area: Affordable housing retention and production.

Fiscal Impact: Undetermined.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-278

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 24, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: March 27, 2009

Type of Action: Lease Agreement Approval

Bill Summary: This ordinance approves and authorizes the Mayor and Corporation Secretary to execute and deliver a lease agreement between Southgate Shopping Center, LLC and the City of Jacksonville for 8,601 square feet of office space at 3490 Beach Boulevard, at an initial monthly base rent of \$10,930.48, for use by Court Administration for a term of five (5) years, with an option to renew for one (1) additional five (5) year period.

Background: The Southgate Shopping Center on Beach Boulevard is located in Council District 4. Under the lease agreement stipulations, the rent for the initial five year term is: October 1, 2008 – September 30, 2009, monthly base rent \$10,930.48; annual base rent \$131,165.25. In the fifth (5th) year, October 1, 2012 – September 30, 2013, monthly base rent \$12,363.94; annual base rent \$148,367.25. Additional rent is to be paid by the tenant (City) in the form of C.A. M. (Common Area Maintenance) which is currently estimated to be \$2.00 per square foot.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-279

Sponsor: Council Member Graham:

Date of Introduction: March 24, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: March 27, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$50,000 (\$25,000 from Council District 13 Capital Projects and \$25,000 from Disabled Services) for turf replacement at Deerwood Rotary Park; providing procurement directive; providing for Department of Recreation and Community Services Oversight; providing for the carryover of funds to Fiscal Year 2009-2020.

Background: Located on Baymeadows Road, Deerwood Rotary Children's Playground has playground equipment that is accessible to disabled children and young people. The purpose of this particular legislation is to provide funding to resurface the playground. The scope of the work entails clearing debris off existing surface; filling in and patching all holes; furnishing and installing synthetic turf on top of surface; metal edging between outside lawn and turf.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This bill appropriates \$50,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-280

Sponsor: Council Member Jones:

Date of Introduction: March 24, 2009

Committee(s) of Reference: R; F

Date of Analysis: March 27, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$25,000 for the purpose of reverting previously appropriated in Ordinance 2004-786-E for Greater Living Outreach Rebound Youth Services, Inc. ("Glory, Inc.") to the original funding source of origin, CSX Settlement-Paxon Community Account; requesting emergency passage.

Background: The 2004 appropriation to Glory, Inc. was for the purpose of funding the remodeling of two trailers for community outreach for youth services.

Note: Language in the body of the language states that the previously appropriated and unused funds from the project are reverted back to the original funding source of origin, *District 9 Discretionary Funds*. An amendment is needed to indicate that the original funding source of origin is the *CSX Settlement-Paxon Community Account*. This is a special account created by Ord 2002-422-E, wherein CSX Transportation provided \$300,000 in settlement money stemming from the Old Kings Road Railroad Crossing closure issue. The Grand Park and Paxon communities were granted \$127,000 each from the settlement.

Policy Impact: Community Programs

Fiscal Impact: The bill appropriates \$25,000 to revert previously appropriated, unused funds.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-281

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 24, 2009

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

Date of Analysis: March 27, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$120,000 from JEA to provide funding for the laboratory portion of the River Accord monitoring for water quality restoration in the lower St. Johns River Basin, such funding to be provided by JEA on a cost reimbursement basis and to be used to create laboratory capability to perform fecal coliform analyses of impaired water bodies within Duval County, as initiated by B.T. 09-098; providing a carryover of funds to Fiscal Year 2009-2010; approving and authoring the Mayor and Corporation Secretary to execute and deliver a subcontract between JEA and the Environmental & Compliance Department Environmental Quality Division and other documents to implement the purpose of this ordinance.

Background: This appropriation is a companion to the septic tank phase-out and repair legislation in Ordinance 2008-130-E. The latter entailed agreements between the City and the St. Johns River Water Management District to implement a number of measures and projects concerning the tributary water quality restoration and raising public awareness concerning septic tank and pet waste contributions to fecal coliform pollution. Ordinance 2008-130-E authorized the Mayor to execute the Agreement for Tributary Water Quality Restoration, Lower St. Johns River Basin between the City and SJRWMD.

Policy Impact: Environmental Compliance Department/Environmental Quality Division/Water Quality

Fiscal Impact: This ordinance appropriates \$120,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-282

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 24, 2009

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

Date of Analysis: March 26, 2009

Type of Action: Appropriation; carry-over authorization; contract approval; Ordinance Code waiver and acknowledgment of procurement process exemption

Bill Summary: The bill appropriates \$35,000 from the Environmental Protection Trust Fund to pay for various expenses associated with the City's "green building/sustainability" initiative, including expenses for LEED training workshops and employee certifications, membership in the Green Building Council, and education and outreach efforts, printing and travel costs. It authorizes contracts with TLC Engineering for Architecture, Inc. and Green Team Project for City employee training programs. The bill also waives the provisions of the Ordinance Code with respect to the uses of the Environmental Protection Trust Fund to permit the use of the fund for these training and education purposes.

Background Information: The bill appropriates funding from the Environmental Protection Trust Fund to provide training to City employees on LEED "green" building standards and other sustainability issues and to pay the City's membership fee in the Florida Green Building Council. The waiver of the Ordinance Code is required because the authorized uses for the Environmental Protection Trust Fund do not include employee training or membership fees.

Policy Impact Area: Mayor's "green building" sustainability initiative

Fiscal Impact: The bill appropriates \$35,000 from the Environmental Protection Trust Fund

Analyst: Clements

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Bill Type and Number: Ordinance 2009-283

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

Date of Introduction: March 24, 2009

Committee(s) of Reference: F

Date of Analysis: March 27, 2009

Type of Action: Settlement Approval

Bill Summary: This ordinance approves the settlement of damages in the amount of \$1,187,622.50 resulting from condemnation of Parcel "O" in the eminent domain proceeding styled City of Jacksonville vs. Audrey A. Broward Trust, et al., Case No. 2007-012173.

Background: The City filed an eminent domain action to condemn this parcel for the construction of a retention pond in conjunction with improvements made to Broward Road. The City and the owner disputed the value of the damages associated with the condemnation. On February 24, 2009, the City and the owner negotiated a proposed settlement in the amount of \$925,000 (plus attorney's fees and costs in the amount of \$262,622.50) and filed a Stipulation of Settlement with the Court. The Jacksonville Municipal Code requires that the City Council approve a settlement when the total amount of the settlement is \$50,000 more than the amount of money posted by the City at the time of the Order of Taking.

Policy Impact: Office of General Counsel/Eminent Domain Proceeding Settlement

Fiscal Impact: This ordinance approves a settlement in the amount of \$1,187,622.50

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-291

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Harry L. Johnston, Jr. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Carolines Bluff, consisting of approximately 8.94 acres located on the west side of Hartsfield Road between Ft. Caroline Road and Merrill Road. Plans are for 40 single-family dwelling units, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-292

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with TRI H, Inc. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as TRI H, Inc., consisting of approximately 1.40 acres located at 10947 Beach Boulevard. Plans are for 4,500 enclosed square feet of bank uses and 22,400 enclosed square feet of medical office uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-293

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with CBL and Associates Properties, Inc. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Regal Villages, consisting of approximately 4.10 (see Note below) acres located at 9431 and 9475 Philips Highway. Plans are for 35,000 enclosed square feet of shopping center uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

NOTE: The Office of General Counsel will be reviewing the number of acres stated in the bill and the number of acres stated in the agreement to determine accuracy, making any appropriate amendments.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-294

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Bartram Springs Center, LLC. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Promenade at Bartram Springs, consisting of approximately 8.39 acres located on the east side of Bartram Springs Parkway, north of Racetrack Road. Plans are for 40,000 enclosed square feet of shopping center uses and 10,000 enclosed square feet of office uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-295

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with D. R. Horton, Inc. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Fiddler's Reef, consisting of approximately 40.19 acres located at 2753 and 2781 Mayport Road. Plans are for 576 residential units and 18,000 enclosed square feet of shopping center uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-296

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with HG Industrial Commons, LLC. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Park 295, consisting of approximately 153.78 acres located on the north side of Armsdale Road North, in the vicinity of Duval Road. Plans are for 2,280,000 enclosed square feet of warehouse uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-297

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Nichols Creek Development, LLC. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Nichols Creek, consisting of approximately 84.0 acres located on the north side of New Berlin Road, in the vicinity of the St. Johns River. Plans are for 350 condominium units or 323,000 enclosed square feet of warehouse uses, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-298

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with Vestcor Fund XXIV, LTD. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Marcis Pointe, consisting of approximately 33.55 acres located on the south side of 103rd Street, between Tampico Road and Jammes Road. Plans are for 288 apartment units, subject to a performance schedule and payment of an annual renewal fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-299

Sponsor: Land Use and Zoning Committee

Date of Introduction: March 24, 2009

Committee(s) of Reference: LUZ

Date of Analysis: March 26, 2009

Type of Action: Development Agreement Approval

Bill Summary: This bill approves a development agreement with the Joos Trust. Authorization is given for the Mayor and Corporation Secretary to execute said agreement.

Background Information: The agreement is for a proposed development known as Joos Commercial, consisting of approximately 25.04 acres located on Addor Lane, between Beaver Street West and I-10. Plans are for 150,000 enclosed square feet of light industrial uses, subject to a performance schedule and payment of an annual fee for the reservation of traffic circulation capacity.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-300

Sponsor: Council President at the request of the Mayor:

Date of Introduction: March 24, 2009

Committee(s) of Reference: TEU; RCD

Date of Analysis: March 27, 2009

Type of Action: Easement Granting Approval

Bill Summary: This ordinance approves and authorizes the mayor and Corporation Secretary to execute and deliver a perpetual easement granting to AT&T, at no cost, a perpetual easement in, over and under a portion of Ed Austin Park, in Council District 2, for the installation of fiber optic cable so as to provide service to a parcel being leased from the City by the Police Athletic League.

Background: The easements donated to AT&T by this legislation (Re: Project #2009-25, parcels 900-800, RE # 131136-0000) enables fiber optic cable for service to the Police Athletic League (PAL) parcel in Ed Austin Regional Park that PAL leases from the City.

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-301

Sponsor: Council Member Yarborough

Date of Introduction: March 24, 2009

Committee(s) of Reference: TEU

Date of Analysis: March 26, 2009

Type of Action: Correction of error in previous ordinance

Bill Summary: The bill corrects an erroneous legal description attached to previously-enacted Ordinance 2008-844-E.

Background Information: 2008-844-E approved the acceptance of a 1.34 acre parcel of land at the intersection of McCormick Road and Mt. Pleasant Road from the JTA in lieu of the JTA making payment to the Tree Protection and Related Expenses Trust Fund as mitigation for the removal of protected trees as part of the Wonderwood Connector construction project. The legal description of the property attached to that bill was in error; this bill replaces the erroneous legal description with the correct legal description from the property appraisal conducted on October 30, 2008.

Policy Impact Area: Correction of erroneous ordinance exhibit

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2009-302

Sponsor: Council President at the Request of the Mayor

Date of Introduction: March 24, 2009

Committee(s) of Reference: TEU

Date of Analysis: March 26, 2009

Type of Action: Standard Agreement Approval

Bill Summary: This bill approves a new standard Agreement for Construction and Maintenance of Improvements with the Florida Dept. of Transportation (FDOT). Authorization is given for the Mayor, or designee, and Corporation Secretary to execute said agreement. This ordinance supersedes Resolution 2006-61-A. Provision is made for oversight by the Department of Public Works.

Background Information: Resolution 2006-61-A superseded prior legislation and provided a revised standard form agreement. Since the adoption of Resolution 2006-61-A, the standard form has been further revised for purposes of clarifying the rights, duties, and obligations of the parties. The new standard form agreement will allow the City to continue to install and maintain non-FDOT standard site improvements and landscaping on portions of FDOT rights-of-way.

Policy Impact Area: Public Works

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-303 (enacted as an emergency on 1st reading 3/24/09)

Sponsor: Council President at the request of the Mayor

Date of Introduction: March 24, 2009

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

Date of Analysis: March 26, 2009

Type of Action: Amendment to prior land swap agreement; extension of road construction deadline; emergency action request

Bill Summary: The bill amends a previous agreement between the City and Beach Boulevard Venture, LLC for a land swap and fire station construction agreement to change several of the terms of the agreement and to extend the timeline for the completion of a roadway construction and dedication process. Specifically, the amendments permit Beach Boulevard Venture to substitute a surety bond in place of a required letter of credit to guarantee performance on the project; extends the developer's timeline for construction and dedication of a new roadway to the City from 60 days to 120 days, and permits an easement for a temporary road to be granted to the City by both the developer and a newly-created community development district instead of just by the developer.

Background Information: This ordinance amends an existing agreement between the City and the developer under which the developer is constructing a new fire station as part of a large mixed use development which, when completed, will be traded to the City for the existing Fire Station # located nearby. The developer will demolish the existing station and construct an entrance road into the development on that site which will also provide access to the fire station. The existing agreement requires the developer to guarantee the satisfactory completion of the fire station via letter of credit which, in the current unsettled economic climate, the developer cannot obtain. This bill permits the substitution of a surety bond in place of the letter of credit. The developer plans to convey the common area portions of the development to a community development district, and this bill also permits the developer to convey a temporary easement and road providing access to the new fire station to the community development district which will in turn convey it to the City rather than the developer conveying the easement directly as provided in the current agreement.

Policy Impact Area: Revision to land swap agreement

Fiscal Impact: None anticipated

Analyst: Clements

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Bill Type and Number: Ordinance 2009-304 (enacted as an emergency on 1st reading 3/24/09)

Sponsor: Council Member Joost

Date of Introduction: March 24, 2009

Committee(s) of Reference: R, F

Date of Analysis: March 26, 2009

Type of Action: Waiver of non-compliance with Public Service Grant requirements

Bill Summary: The bill waives the provisions of the Public Service Grant program to reinstate the eligibility of the Jacksonville offices of the Salvation Army and USO to utilize FY08-09 public service grants since previous violations of the PSG regulations have been remedied.

Background Information: The regulations of the Public Service Grants require recipients to establish separate stand-alone bank accounts to receive and expend PSGs. The Salvation Army and USO have received PSGs for several years and the Council Auditor recently discovered that the required separate bank accounts were not established. The Auditor therefore found the agencies to be in non-compliance which makes the agencies ineligible to utilize the grants they received in the FY08-09 funding round. The agencies have since established separate bank accounts as required, and have requested that the Council recognize that they are now in compliance with the regulations and lift the ban on utilizing this year's funding. The Ordinance Code chapter does not provide an administrative mechanism for remedying this situation without the agencies missing out on a year of funding. Since the discovery was made in the middle of this fiscal year the agencies have already been expending funds on the grant programs in the expectation of being reimbursed by the grants.

Policy Impact Area: Public Service Grant operations

Fiscal Impact: The Salvation Army received a PSG of \$41,225 and the USO a grant of \$24,616 which cannot be utilized until the finding of non-compliance with program regulations has been lifted.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-305

Sponsor: Council Member Corrigan

Date of Introduction: March 24, 2009

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

Date of Analysis: March 26, 2009

Type of Action: Appropriation; waiver of provisions of prior ordinance; procurement directive

Bill Summary: The bill appropriates \$25,000 from the Council District 14 bond fund to assist in the purchase of a playscape for the Venetia Elementary School playground. The bill waives the provision of Ordinance 2004-998-E (Autumn Bond ordinance) that requires the district bond funds to be expended for projects located on City property. The bill also directs that the playscape shall be procured from Playmore, Inc. without the necessity of a competitive procurement process pursuant to the company's ongoing contract with the City to provide playground equipment. The Recreation and Community Services Department is directed to process the purchase of the equipment through the Procurement Division, and the Public Works Department is designated as the oversight agency for the project.

NOTE: a typographical error needs correction on p. 2, line 17 where "May 2008" should read "May 2009".

Background Information: The requested waiver is required to permit the expenditure of Autumn Bond funds on School Board property rather than on City property.

Policy Impact Area: Neighborhood improvement

Fiscal Impact: The bill appropriates \$25,000 from the District 14 Autumn Bond fund.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-306

Sponsor: Council President at the request of the Supervisor of Elections

Date of Introduction: March 24, 2009

Committee(s) of Reference: R

Date of Analysis: March 26, 2009

Type of Action: Revision of voting precinct boundaries

Bill Summary: The bill revises the voting precinct boundaries of 3 precincts in Atlantic Beach in order to align the boundaries with new City of Atlantic Beach at-large residence areas.

Background Information: Atlantic Beach City Commissioners are elected at-large, but the city recently created 4 at-large residence areas to ensure that each part of the city is represented on the commission. The revision shifts several blocks from Precinct 13G to 13F and from 13F to 13H in order to conform the county's precinct lines to the newly created Atlantic Beach residence areas.

Policy Impact Area: Election operations

Fiscal Impact: None

Analyst: Clements